



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS

611 I Street, Suite B

Eureka, CA 95501

(707) 444-8208

www.hcaog.net

May 15, 2014

CALTRANS

Division of Local Assistance, MS 1

Office of Active Transportation and Special Programs

P.O. Box 942874

Sacramento, CA 94274-0001

Dear Caltrans Representative,

On behalf of the Humboldt County Association of Governments (HCAOG), we appreciate this opportunity to extend our support for the City of Trinidad's "Van Wycke Trail Project". HCAOG represents a rural county with seven incorporated cities and eight federally recognized tribes. As the regional transportation planning agency for Humboldt County, HCAOG works closely with multiple public and private partners to coordinate transportation projects in the region. The City of Trinidad's Van Wycke Trail Project is included in the HCAOG's Regional Transportation Plan, is considered the top priority project for the City, and appears to be a perfect fit for an ATP grant.

The Van Wycke trail historically connected much of Trinidad, including the downtown area, to the Trinidad State Beach, Trinidad Head (designated as California Historic Landmark), and the Trinidad Pier and Harbor. As a result of bluff instability, the trail was closed several years ago out of concern for public safety. Without the trail, non-motorized users are forced to use the adjacent surface streets (classified as major collectors) that lack bike and pedestrian facilities. The improvement of the trail reestablishes a vital non-motorized link in Trinidad and will encourage/increase the use of active modes of transportation, including biking and walking and enhancement of public health. HCAOG funded the Project Study Report for this project in 2012.

The City has been actively working to improve this important non-motorized route for years, and already completed initial geotechnical investigations, alternatives analysis, and preliminary designs. The ATP offers a great opportunity to complete the project and reestablish this vital non-motorized facility.

Please do not hesitate to contact me for more information on this project.

Sincerely,

Marcella Clem
Executive Director



TRINIDAD UNION SCHOOL DISTRICT

GEOFFREY PROUST, SUPERINTENDENT/PRINCIPAL
DRAWER 3030, TRINIDAD, CALIFORNIA 95570-3030
707/677-3631 • FAX 707/677-0954
trinidad@humboldt.k12.ca.us

May 12, 2014

Division of Local Assistance, MS-1
Office of Active Transportation and Special Programs
PO Box 942874
Sacramento, CA 95814

Subject: Support for the City of Trinidad's Van Wycke Trail Project

Dear Application Review Committee:

On behalf of the Trinidad Union School District, we would like to extend our support for the City of Trinidad's "Van Wycke Trail Project."

The Trinidad School community believes it is important for students to have opportunities to benefit from the wonderful location of our school setting. Classes take walking field trips as often as possible, utilizing the nearby bluffs and beaches for art projects, creative writing and marine science. Our Marine Activities and Resources Education program is in its seventeenth year, and includes many activities during which students of all grades K-8 go to the local beaches to explore, to study local ecology, or to learn about community service through beach cleanup.

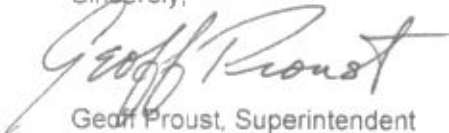
The Van Wycke trail provides a safe route from the school to the beach and harbor area, allowing students to avoid walking along much of Edwards Street, which has no sidewalks. This is especially important for our youngest students who do not understand traffic dangers. Some of the destinations within walking distance of the school include Trinidad State Beach, the Humboldt State University Telonicher Marine Lab, Trinidad Head, the Trinidad Pier and Harbor. The Van Wycke Trail is an important route used by students to visit these places.

Van Wycke Trail traverses the bluff above the beach and overlooks the harbor area. The trail is currently in very poor condition, with erosion and slumping due to the bluff instability. Improvements to the trail are essential if this trail is to be used. The school staff, students and their families would benefit in many ways from the project to rebuild the Van Wycke Trail.

We understand much of the planning for this project has already been done, and the remaining piece is to fund construction of the trail improvements. We urge you to fund this project.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Geoff Proust, Superintendent



HCAOG

*Regional Transportation
Planning Agency*

611 I Street, Suite B
Eureka, CA 95501
707.444.8208
Fax: 707.444.8319
www.hcaog.net

May 21, 2015

Division of Local Assistance, MS-1
Office of Active Transportation and Special Programs
P.O. Box 942874
Sacramento, CA 95814

RE: Support for the City of Trinidad Van Wycke Bicycle and
Pedestrian Connectivity Project

Dear Application Review Committee:

On behalf of the Humboldt County Association of Governments (HCAOG), I am pleased to extend support for the City of Trinidad Van Wycke Bicycle and Pedestrian Connectivity Project.

The City of Trinidad has safe bicycle and pedestrian routes on either side of town, however the center of town lacks a safe non-motorized route, essentially cutting Trinidad in half to non-motorized traffic. Construction of the Van Wycke Bicycle and Pedestrian Connectivity Project would connect the two sides of the town by creating a safe, non-motorized route along Edwards Avenue and re-establishing the historic Van Wycke trail, which would be rehabilitated for pedestrian and bicycle use.

The Van Wycke trail historically connected much of Trinidad, including the downtown area, to the Trinidad State Beach, Trinidad Head (designated as California Historic Landmark), and the Trinidad Pier and Harbor. As a result of bluff instability, the trail was closed several years ago out of concern for public safety. Without the trail, non-motorized users are forced to use the adjacent surface streets (classified as major collectors) that lack bike and pedestrian facilities. The improvements along Edwards Avenue and Van Wycke Trail reestablishes a vital non-motorized link in Trinidad and will encourage/increase the use of active modes of transportation, including biking and walking and enhancement of public health.

HCAOG funded the Project Study Report in 2012. Since then, the City has completed initial geotechnical investigations, alternatives

analysis, and preliminary designs. This project is included in the HCAOG's Regional Transportation Plan, considered the top priority project for the city, and is planned and designed to meet the goals of the Active Transportation Program.

HCAOG appreciates this opportunity to support this worthwhile and important project. Please do not hesitate to contact me at 707-444-8208 for additional information.

Sincerely,

A handwritten signature in black ink, consisting of several fluid, connected loops and a long horizontal stroke at the end.

Marcella Clem
Executive Director



Cher-Ae Heights Indian Community of the Trinidad Rancheria



May 28, 2015

Division of Local Assistance, MS-1
Office of Active Transportation and Special Programs
PO Box 942874
Sacramento, CA 95814

Subject: Support for the City of Trinidad's Van Wycke Trail Project

Dear Application Review Committee:

On behalf of the Cher-Ae Heights Indian Community of the Trinidad Rancheria (Trinidad Rancheria), we would like to extend our support for the City of Trinidad's "Van Wycke Trail Project." The Trinidad Rancheria is a federally recognized Native American Tribe located in Northern California, with tribal lands adjacent to the City of Trinidad. The Trinidad Rancheria owns approximately 6.5 acres of property on the Trinidad Harbor and operates the Seascape Restaurant, Trinidad Pier, Boat Launch, Bait Shop, and Vacation Rental located at 1 Bay Street, Trinidad, CA 95570.

The Trinidad Rancheria is an environmental steward, and has worked over the last ten years to enhance and protect the ocean and surrounding properties. The grant application will address a major trail that is a safety issue and repair an access point to the state beach and Trinidad Rancheria Harbor Properties. The Tribe supports the City's grant application to enhance public access, visitor services and the experience of Trinidad for both residents and visitors.

Currently, the Van Wycke Trail is eroding and slumping down the bluff which endangers pedestrians, increases the likelihood of further bluff failure, and threatens a water line which runs along the trail route. This trail needs to be improved. A safe and accessible Van Wycke Trail will provide many benefits to the public, and provides an opportunity to connect the historic Trinidad Memorial Lighthouse in town with the Trinidad Light Station on Trinidad Head. The Van Wycke Trail Project will provide:

- A safer pedestrian route than Edwards street which has no sidewalks
- Provides access to public open space, including the scenic view of the Trinidad Bay and Harbor
- As part of the Trinidad trail network, it draws visitors to the area
- Van Wycke is among trails that make the community more attractive to families and businesses
- Provides a healthy, energy saving alternative to motorized transportation

Please do not hesitate to contact me if you have any questions.

Sincerely,

Garth Sundberg
Tribal Chairman
Trinidad Rancheria



www.trinidadrancheria.com

1 Cher-Ae Lane • PO Box 630 • Trinidad, California • 95570 • 707.677.0211 • 707.677.3921 (fax)

Attachment J



Trinidad Coastal Land Trust is a non-profit organization dedicated to protecting for the public benefit the natural beauty and character of Humboldt County from Little River to Big Lagoon

May 25, 2015

Division of Local Assistance, MS-1
Office of Active Transportation and Special Programs
PO Box 942874
Sacramento, CA 95814

Subject: Support for the City of Trinidad's Van Wycke Trail Project

Dear Application Review Committee:

On behalf of the Trinidad Coastal Land Trust, we would like to extend our support for the City of Trinidad's "Van Wycke Trail Project." The Trinidad Coastal Land Trust is a locally operated nonprofit organization dedicated to protecting for the public benefit the natural beauty and character of the Humboldt County from Little River to Big Lagoon. TCLT owns and maintains a number of public access easements and fee title properties between Little River and Big Lagoon and supports projects that improve public access and the walkability of our communities.

TCLT has for many years been working to promote trails and public access in the Trinidad area. We partner with a variety of organizations in the area to develop and maintain an extensive system of trails along the coast. Trails provide many benefits to the public, to communities, businesses and other organizations. The Van Wycke Trail will deliver benefits to the community and the public as well:

- A safer pedestrian route than Edwards street which has no sidewalks
- Provides access to public open space, including the scenic view of the Trinidad Bay and Harbor
- As part of the Trinidad trail network, it draws visitors to the area
- Van Wycke is among trails that make the community more attractive to families and businesses
- Provides a healthy, energy saving alternative to motorized transportation

The Van Wycke Trail is eroding and slumping down the bluff which endangers pedestrians, increases the likelihood of further bluff failure, and threatens a water line which runs along the trail route. This trail needs to be improved.

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Matthew R. Marshall', with a stylized flourish at the end.

Matthew R. Marshall
TCLT Board President



TRINIDAD UNION SCHOOL DISTRICT

MATTHEW S. MALKUS, SUPERINTENDENT/PRINCIPAL

P.O. Box 3030, Trinidad, CA 95570 • (707) 677-3631

Fax: (707) 677-0954 • Cell: (707) 496-9415

mmalkus@nohum.k12.ca.us

May 21, 2015

Division of Local Assistance, MS-1

Office of Active Transportation and Special Programs

PO Box 942874

Sacramento, CA 95814

Subject: Support for the City of Trinidad's Van Wycke Trail Project

Dear Application Review Committee:

On behalf of the Trinidad Union School District, we would like to extend our support for the City of Trinidad's "Van Wycke Trail Project".

The Trinidad School community believes it is important for students to have opportunities to benefit from the wonderful location of our school setting. Classes take walking field trips as often as possible, utilizing the nearby bluffs and beaches for art projects, creative writing and marine science. Our Marine Activities and Resources Education program is in its eighteenth year, and includes many activities during which students of all grades K-8 go to the local beaches to explore, to study local ecology, or to learn about community service through beach cleanup.

The Van Wycke trail provides a safe route from the school to the beach and harbor area, allowing students to avoid walking along much of Edwards Street, which has no sidewalks. This is especially important for our youngest students, who do not understand traffic dangers. Some of the destinations within walking distance of the school include Trinidad State Beach, the Humboldt State University Telonicher Marine Lab, Trinidad Head, the Trinidad Pier and Harbor. The van Wycke Trail is an important route used by students to visit these places.

Van Wycke Trail traverses the bluff above the beach and overlooks the harbor area. The trail is currently in very poor condition, with erosion and slumping due to the bluff instability. Improvements to the trail are essential if this trail is to be used. The school staff, students and their families would benefit in many ways from the project to rebuild the Van Wycke Trail.

We understand much of the planning for this project has already been done, and the remaining piece is to fund construction for trail improvements. We urge you to fund this project.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Matt Malkus, Superintendent



Greater Trinidad Chamber of Commerce

P.O. Box 356
Trinidad, CA 95570
707.677.1610

May 27, 2015

Division of Local Assistance, MS-1
Office of Active Transportation and Special Programs
PO Box 942874
Sacramento, CA 95814

Subject: Support for the City of Trinidad's Van Wycke Trail Project

Dear Application Review Committee:

On behalf of the Trinidad Chamber of Commerce, we would like to extend our support for the City of Trinidad's "Van Wycke Trail Project." The purpose of the Chamber is to enhance the economic and social wellbeing of the people of the Greater Trinidad area by promoting the businesses of the area through cooperation and partnerships between businesses and community.

The Chamber supports projects that improve public access, visitor services and the experience of Trinidad for both residents and visitors and believes a safe and accessible Van Wycke Trail will provide many benefits to the public and businesses in the Greater Trinidad area.

The Van Wycke Trail Project will:

- provide a safer pedestrian route than Edwards Street, which has no sidewalks
- allow access to public open space, including the scenic view of the Trinidad Bay and Harbor
- draws visitors to the area as part of the Trinidad trail network
- encourage outdoor activities, making the community more attractive to families and businesses
- provide a healthy, energy saving alternative to motorized transportation

The Van Wycke Trail is eroding and slumping down the bluff, endangering pedestrians and creating a serious risk for the city. The erosion increases the likelihood of further bluff failure and threatens a water line, which runs along the trail route.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Mike Reinman, President
Greater Trinidad Chamber of Commerce.

TRINIDAD MUSEUM SOCIETY

P.O. BOX 1126
TRINIDAD, CA 95570

May 26, 2015

Division of Local Assistance, MS-1
Office of Active Transportation and Special Programs
P. O. Box 942874
Sacramento, California 95814

Re: Support for City of Trinidad's Van Wycke Trail Project

Dear Application Review Committee,

On behalf of the Trinidad Museum Society, we wish to extend our support for the City of Trinidad's "Van Wycke Trail Project." Trinidad Museum, a 501c3 non profit corporation formed in 1983, is an active participant in Trinidad's cultural and civic life and preservation. The museum is located in an historic 1899 home which was rehabilitated and opened to the public in 2009.

Trinidad Museum Society supports projects which improve public access, trails, and rewarding experiences for both residents and visitors.

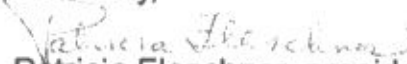
A safe and accessible Van Wycke Trail, formed during the gold rush days of 1850, provides a delightful through-way and an opportunity to connect the historic 1949 Trinidad Memorial Lighthouse with the 1871 Lighthouse on Trinidad Head. Improving the Van Wycke Trail will give:

- a. a safer pedestrian route than Edwards Street, which has no sidewalks;
- b. provide access to public open space, including the scenic Trinidad Bay, Pier and Harbor;
- c. draw visitors to the area as part of the Trinidad trail network;
- d. make the community more attractive to families and businesses, and
- e. offer a healthy, energy saving alternative to vehicular transportation.

The Van Wycke Trail is eroding and slumping down the bluff which endangers pedestrians, increases the likelihood of further bluff failure, and threatens a water line which runs along the trail route. The trail clearly needs immediate attention.

Kindly advise if we can be of further assistance.

Sincerely,


Patricia Fleschner, president
Trinidad Museum Society
400 Janis Court/P. O. Box 1126
Trinidad, CA 95570

**An Archaeological Survey Report for the
Van Wycke Bicycle and Pedestrian Connectivity Project
City of Trinidad, Humboldt County, California**

Prepared By:

William Rich M.A. RPA
William Rich and Associates
P.O. Box 184
Bayside, CA 95524

Prepared For:

SHN Consulting Engineers and Geologists
1062 G Street, Suite I
Arcata, CA 95521

On Behalf Of:

City of Trinidad
409 Trinity Street
Trinidad, CA 95570

*Appendix A. Native American Correspondence
pp 35-63*

*USGS 7.5' Topographic Quadrangle Map: Trinidad, CA
Acreage of Survey: 3 acres*

November 2018

An Archaeological Survey Report for the
Van Wyke House and Foundation Construction Project
City of Trinidad, Humboldt County, California

Prepared By:
William R. H. A. RPA
William R. H. and Associates
P.O. Box 184
Trinidad, CA 95234

Prepared For:
City of Trinidad Planning and Geologists
1000 G Street, Suite 1
Trinidad, CA 95231

Map Detail Of:
City of Trinidad
1000 G Street
Trinidad, CA 95231

Map Detail Of: City of Trinidad

City of Trinidad Planning and Geologists
1000 G Street, Suite 1
Trinidad, CA 95231

November 2018

Appendix A
Native American Correspondence

Pages 35-63

FAX COVER SHEET

DATE: February 21, 2018
TO: Native American Heritage Commission
FAX: 916-373-5471
FROM: William Rich, M.A., RPA
SUBJECT: Sacred Lands Database Search: **Van Wycke Trail, Trinidad, Humboldt County, CA**
PAGES: 2 (cover and 1 map)

Dear NAHC,

William Rich and Associates have been retained to conduct a cultural resources investigation for trail project in Trinidad, Humboldt County, California. Specifically, the project is located in Sections 23 and 26, T8N, R1W, as shown on the USGS 7.5' Trinidad, CA Topographic Quadrangle. The project area is indicated on the accompanying map.

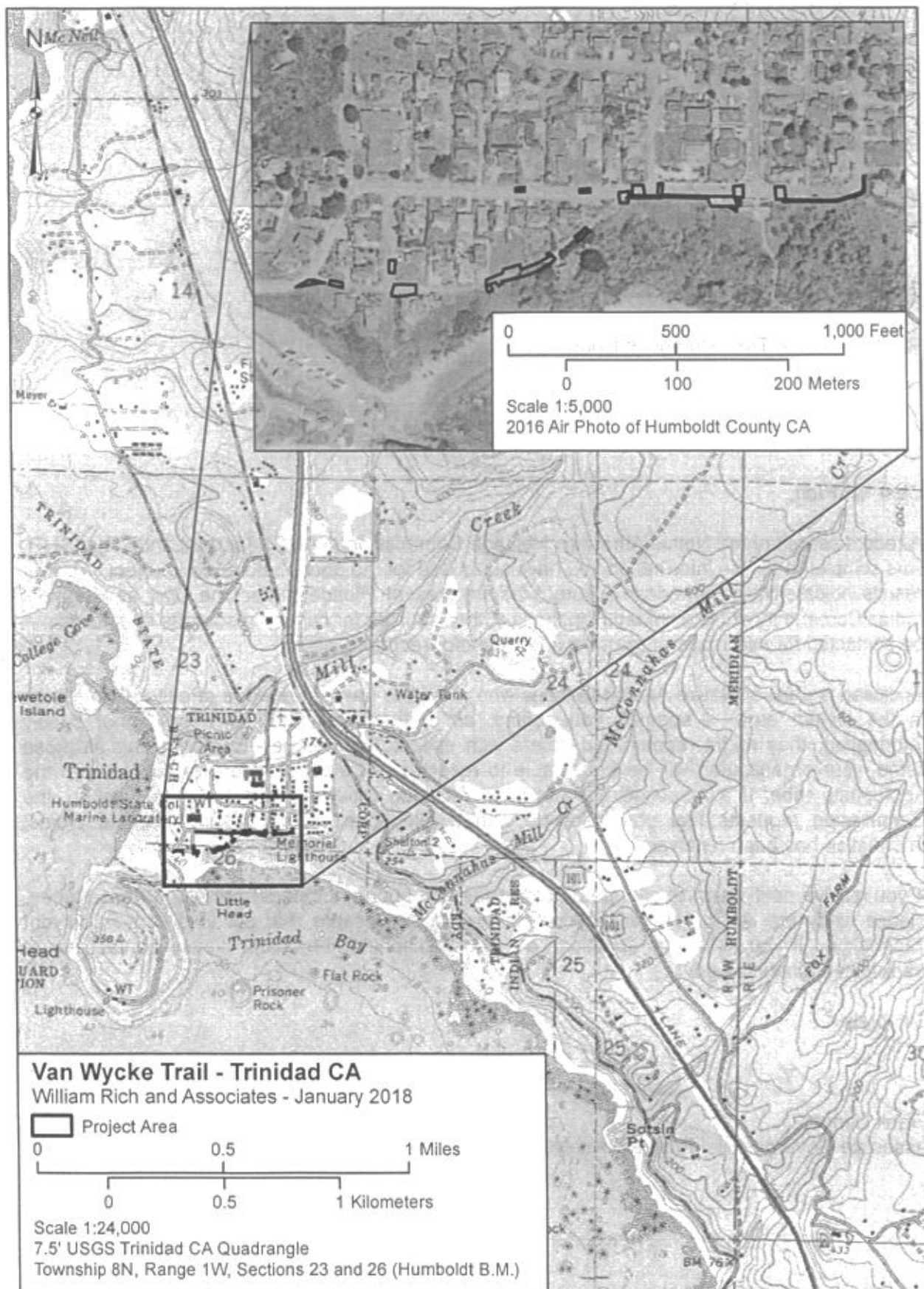
I would greatly appreciate a list of Native American contacts and the results of a search of the sacred lands database for previously identified sites of concern within the project area or a one-half mile radius.

Many thanks in advance for your assistance.

Sincerely,

William C. Rich

William Rich, M.A., RPA
Principal Investigator
William Rich and Associates
P.O. Box 184
Bayside, CA 95524
(707) 834-5347
wcr@williamrichandassociates.com



NATIVE AMERICAN HERITAGE COMMISSION

Environmental and Cultural Department
1550 Harbor Blvd., ROOM 100
West SACRAMENTO, CA 95691
(916) 373-3710
Fax (916) 373-5471



February 26, 2018

William Rich
William Rich and Associates

Email to: wcr@williamrichandassociates.com

RE: Van Wycke Trail, Humboldt County

Dear Mr. Rich,

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results indicate Native American cultural sites are present. Please contact the Cher ae Heights Indian Community of the Trinidad Rancheria. Other sources for cultural resources should also be contacted for information regarding known and/or recorded sites.

Enclosed is a list of Native American tribes who may also have knowledge of cultural resources in the project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these tribes, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at frank.lienert@nahc.ca.gov.

Sincerely,

A handwritten signature in dark ink, appearing to be "Frank Lienert".
Frank Lienert
Associate Governmental Program Analyst

Native American Heritage Commission

Native American Contacts

2/26/2018

Big Lagoon Rancheria
 Brian Moorehead, Chairperson
 P.O. Box 3060
 Trinidad, CA 95570
 moorehead@earthlink.net
 (707) 826-2079

Yurok
 Tolowa

(707) 826-1737 - Fax

Blue Lake Rancheria
 Claudia Brundin, Chairperson
 P.O. Box 428
 Blue Lake, CA 95525
 mobbs@bluelakerancheria-nsn.gov

Wiyot
 Yurok
 Tolowa

(707) 668-5101

(707) 668-4272 Fax

Hoopa Valley Tribe
 Ivan P. Jackson, Chairperson
 P.O. Box 1348
 Hoopa, CA 95546
 (530) 625-4211
 (530) 625-4504 Fax

Hoopa - Hupa

Karuk Tribe
 Russell Atteberry, Chairperson
 P.O. Box 1016
 Laddv Camp, CA 96039
 (530) 493-1600
 (530) 493-5322 - Fax

Karuk / Karok

Pit River Band of the Rohnerville Rancheria
 Larry Brenard, Chairperson
 66 Keisner Road
 Eureka, CA 95551
 (707) 733-1900

Wiyot
 Mattole

(707) 733-1727 Fax

Round Valley Indian Tribes of the Round Valley Reservation
 James Russ, President
 77826 Covelo Road
 Covelo, CA 95428
 tribalcouncil@rvit.org
 (707) 983-6126

Yuki ; Nomlaki
 Pit River
 Pomo
 Concow
 Wailaki; Wintun

(707) 983-6128 Fax

Wivot Tribe
 Ted Hernandez, Chairperson
 1000 Wivot Drive
 Loleta, CA 95551
 ted@wivot.us
 (707) 733-5055

Wivot

(707) 733-5601 Fax

Cher-Ae Heights Indian Community of the Trinidad Rancheria
 Garth Sundberg Sr., Chairperson
 P.O. Box 630
 Trinidad, CA 95570-06
 gsundberg@TrinidadRancheria.com
 (707) 677-0211 Office

Yurok
 Karuk
 Tolowa
 Wivot

(707) 677-3921 Fax

Yurok Tribe of the Yurok Reservation
 Thomas O'Rourke, Chairperson
 PO Box 1027
 Klamath, CA 95548
 torouroke@yuroktribe.nsn.us
 (707) 482-1350

Yurok

(707) 482-1377

Yurok Tribe of the Yurok Reservation
 Robert McConnell, THPO
 HC 67 P.O. Box 196, Highway 9
 Hoopa, CA 95546
 rmccConnell@yuroktribe.nsn.us
 (707) 498-2536
 (530) 625-4130 v1670
 (707) 482-1377 Fax

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American Tribes with regard to cultural resources assessments for the proposed

:Van Wycke Trail, Humboldt County

Native American Heritage Commission
Native American Contacts
2/26/2018

Snunawwe Council
Paul Ammon, Chairperson
P.O. Box 373
Salver, CA 95563
snungweofcalifornia@gmail.com
30-739-3828

Southern Hoopa

Blue Lake Rancheria
Janet Eidsness, Historic Preservation Officer
P.O. Box 428 Wiyot
Blue Lake, CA 95525-04 Yurok
eidsness@bluelakerancheria-nsn.gov Tolowa
707) 668-5101
530) 622-0662 - Cell
707-668-4272 - Fax

Yurok Tribe of the Yurok Reservation
IAGPRA Coordinator
P.O. Box 1027 Yurok
Hamath, CA 95548
707) 482-1350
707) 454-5355
707) 482-1377

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American Tribes with regard to cultural resources assessments for the proposed
Van Wycke Trail, Humboldt County

March 12, 2018

Distribution List

1. Trinidad Rancheria – Garth Sundberg, Chairman; Rachel Sundberg, THPO
2. Tsurai Ancestral Society – Sarah Lindgren-Akana, Secretary
3. Yurok Tribe- Thomas O'Rourke- Chairman; Frankie Joe Myers, THPO

Dear Tribal Representative,

William Rich and Associates is conducting a cultural resources investigation for:

- **Trinidad Van Wycke Bicycle and Pedestrian Connectivity** project in Trinidad, Humboldt County, CA. Specifically, the project is located in Sections 23 and 26 of Township 8 North, Range 1 West (Humboldt Meridian), 7.5' USGS Topographic Quadrangle Map, Trinidad, California.

- [REDACTED]

We are aware of the sensitivity of the project location and welcome your participation regarding appropriate archaeological field methods. Additionally, any information the Trinidad Rancheria would like to share, will be held under strict confidentiality and will not be made available to the public. All cultural sites will be documented in accordance to the guidelines established by the State Office of Historic Preservation. A copy of the final report and any completed archaeological site records will be submitted to the California Historical Resources Information System's regional Northwest Information Center.

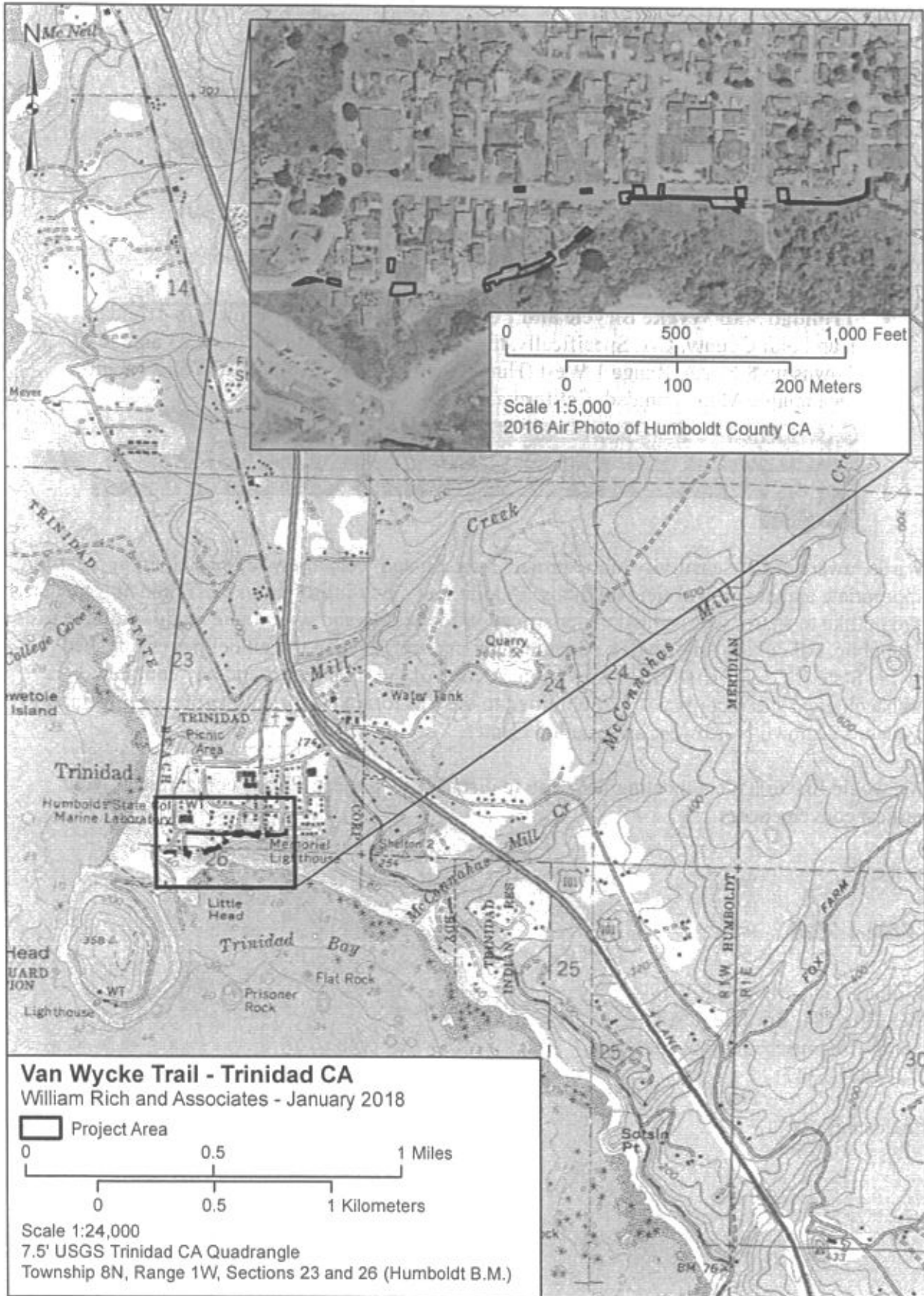
We would like to have a meeting with you to discuss this project. Please contact me at your earliest convenience.

Sincerely,

William Rich

William Rich, M.A., RPA
P.O. Box 184, Bayside, CA 95524
wcr@williamrichandassociates.com
(707) 834-5347

Enclosures (2)





William Rich <wcr@williamrichandassociates.com>

Cultural Resource Investigations-Trinidad

9 messages

William Rich <wcr@williamrichandassociates.com>
To: rsundberg@trinidadrancheria.com

Mon, Mar 12, 2018 at 11:05 PM

Hello Rachel,

We are working with the City of Trinidad to complete a cultural resources investigation for the Van Wycke Bicycle and Pedestrian Connectivity project and the [REDACTED] project. Please see attached letter and maps.

We would really appreciate hearing from the Trinidad Rancheria and would like to schedule a meeting soon to discuss the project.

Thank you!

Bill

--
William C. Rich, M.A., RPA
Principal Investigator
William Rich and Associates
Cultural Resource Consultants
P.O. Box 184
Bayside, CA 95524
(707) 834-5347



TrinidadVanWyke_ASBSStormwater_TR_WRALetter_3_12_2018.pdf
1456K

Rachel Sundberg <rsundberg@trinidadrancheria.com>
To: William Rich <wcr@williamrichandassociates.com>

Tue, Mar 27, 2018 at 12:03 PM

Hi Bill,

I am available any day next week to meet. Let me know what works for you.

Rachel Sundberg

Tribal Programs Director/THPO

Trinidad Rancheria

PO Box 630

Trinidad, CA 95570

707-677-0211 x 2726

707-834-1169 - cell

rsundberg@trinidadrancheria.com



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From: William Rich [mailto:wcr@williamrichandassociates.com]

Sent: Monday, March 12, 2018 11:05 PM

To: Rachel Sundberg

Subject: Cultural Resource Investigations-Trinidad

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This message has been scanned for viruses and dangerous content by the
Trinidad Rancheria E.F.A. E-Mail Protection Service, and is believed to be clean.
[Click here to report this message as spam.](#)

William Rich <wcr@williamrichandassociates.com>
To: Rachel Sundberg <rsundberg@trinidadrancheria.com>

Wed, Mar 28, 2018 at 10:14 PM

Hi Rachel,

Yes, next week is good. How about Monday afternoon or Tuesday am.

Bill

[Quoted text hidden]

Rachel Sundberg <rsundberg@trinidadrancheria.com>
To: William Rich <wcr@williamrichandassociates.com>

Thu, Mar 29, 2018 at 10:36 AM

Tuesday morning is good for me. I'm available after 10.

Rachel Sundberg

Tribal Programs Director/THPO

Trinidad Rancheria

PO Box 630

Trinidad, CA 95570

707-677-0211 x 2726

707-834-1169 - cell

rsundberg@trinidadrancheria.com



This communication, including any attachments, may contain privileged or confidential information intended for a specific individual(s) and purpose, and is protected by law. The information may not be disclosed to anyone other than the intended recipient(s), or a person authorized to receive the communication on behalf of the intended recipient(s). If you are not the intended recipient, you should delete this communication and/or shred the materials and any attachments and are hereby notified that any disclosure, copying, or distribution of this communication, or the taking of any action based on it, is strictly prohibited.

From: William Rich [mailto:wcr@williamrichandassociates.com]

Sent: Wednesday, March 28, 2018 10:15 PM

To: Rachel Sundberg

Subject: Re: Cultural Resource Investigations-Trinidad

[Quoted text hidden]

William Rich <wcr@williamrichandassociates.com>
To: Rachel Sundberg <rsundberg@trinidadrancheria.com>

Fri, Mar 30, 2018 at 6:39 AM

Ok Great! How about 1030 at your office.

Bill

On Tue, Mar 27, 2018 at 12:03 PM, Rachel Sundberg <rsundberg@trinidadrancheria.com> wrote:

[Quoted text hidden]

[Quoted text hidden]

William Rich <wcr@williamrichandassociates.com>
To: Rachel Sundberg <rsundberg@trinidadrancheria.com>

Tue, Apr 3, 2018 at 1:31 AM

Hi Rachel,

I'm going to have to cancel. Can we reschedule for Thursday?

Bill

[Quoted text hidden]

Rachel Sundberg <rsundberg@trinidadrancheria.com>
To: William Rich <wcr@williamrichandassociates.com>

Tue, Apr 3, 2018 at 9:43 AM

Sure. Same time?

Rachel Sundberg

Tribal Programs Director/THPO

Trinidad Rancheria

PO Box 630

Trinidad, CA 95570

707-677-0211 x 2726

707-834-1169 - cell

rsundberg@trinidadrancheria.com



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From: William Rich [mailto:wcr@williamrichandassociates.com]

Sent: Tuesday, April 03, 2018 1:31 AM

[Quoted text hidden]

[Quoted text hidden]

William Rich <wcr@williamrichandassociates.com>
To: Rachel Sundberg <rsundberg@trinidadrancheria.com>

Tue, Apr 3, 2018 at 9:46 AM

Yes, thanks.

Bill

[Quoted text hidden]

Rachel Sundberg <rsundberg@trinidadrancheria.com>

Tue, Apr 3, 2018 at 9:50 AM

To: William Rich <wcr@williamrichandassociates.com>

Ok, see you then!

Rachel Sundberg

Tribal Programs Director/THPO

Trinidad Rancheria

PO Box 630

Trinidad, CA 95570

707-677-0211 x 2726

707-834-1169 - cell

rsundberg@trinidadrancheria.com



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From: William Rich [mailto:wcr@williamrichandassociates.com]

Sent: Tuesday, April 03, 2018 9:46 AM

[Quoted text hidden]

[Quoted text hidden]



William Rich <wcr@williamrichandassociates.com>

Cultural Resource Investigations -Trinidad

4 messages

William Rich <wcr@williamrichandassociates.com>
To: mzlindgren79@gmail.com

Mon, Mar 12, 2018 at 10:57 PM

Hello Ms. Lindgren-Akana,


We are working with the City of Trinidad to complete a cultural resources investigation for the Van Wycke Bicycle and Pedestrian Connectivity project and the [REDACTED]. Please see attached letter and maps.

We would really appreciate hearing from the Tsurai Ancestral Society and would like to schedule a meeting soon to discuss the project.

Thank you!

Bill

--
William C. Rich, M.A., RPA
Principal Investigator
William Rich and Associates
Cultural Resource Consultants
P.O. Box 184
Bayside, CA 95524
(707) 834-5347

 TrinidadVanWyke_ASBSStormwater_Tsurai_WRALetter_3_12_2018.pdf
866K

Sarah Lindgren-Akana <mzlindgren79@gmail.com>
To: William Rich <wcr@williamrichandassociates.com>
Cc: Kelly Lindgren <klindgren69@gmail.com>

Thu, Mar 15, 2018 at 9:52 AM

Hello William,

We are discussing this matter and will respond early next week.

Thank you for sending us the info, and we look forward to speaking with you more next week.

Sincerely,

Sarah Lindgren-Akana

Sent from my iPhone
[Quoted text hidden]

<TrinidadVanWyke_ASBSStormwater_Tsurai_WRALetter_3_12_2018.pdf>

William Rich <wcr@williamrichandassociates.com>
To: Sarah Lindgren-Akana <mzlindgren79@gmail.com>
Cc: Kelly Lindgren <klindgren69@gmail.com>

Fri, Mar 16, 2018 at 12:10 PM

Hello Sarah,

Great! I appreciate the response.

Talk with you soon.

Bill

[Quoted text hidden]

William Rich <wcr@williamrichandassociates.com>
To: Sarah Lindgren-Akana <mzlindgren79@gmail.com>
Cc: Kelly Lindgren <klindgren69@gmail.com>

Thu, Mar 22, 2018 at 5:10 PM

Hello Sarah,

Haven't heard from you. Just wanted to reach out again about the projects in Trinidad. I have a new project for Moonstone Grill that I will send you maps for soon.

Look forward to meeting you and talking about these projects.

Feel free to call anytime!

Bill

On Thu, Mar 15, 2018 at 9:52 AM, Sarah Lindgren-Akana <mzlindgren79@gmail.com> wrote:

[Quoted text hidden]

[Quoted text hidden]



William Rich <wcr@williamrichandassociates.com>

William Rich and Associates work in Trinidad

William Rich <wcr@williamrichandassociates.com>

Fri, May 11, 2018 at 1:26 PM

To: Sarah Lindgren-Akana <mzlindgren79@gmail.com>

Hello Sarah,

Do you have time to meet about a few of the cultural resources projects in the Trinidad area. I am running in to a few deadlines and want to make sure your perspectives are accounted for in my reports.

I will be available at your convenience.

Thanks,

Bill

--
William C. Rich, M.A., RPA
Principal Investigator
William Rich and Associates
Cultural Resource Consultants
P.O. Box 184
Bayside, CA 95524
(707) 834-5347



William Rich <wcr@williamrichandassociates.com>

Meeting Confirmation -Trinidad Projects

2 messages

William Rich <wcr@williamrichandassociates.com>
To: Sarah Lindgren-Akana <mzlindgren79@gmail.com>

Thu, May 17, 2018 at 10:10 AM

Hi Sarah,

It was nice speaking with you earlier this week. We had discussed meeting on Monday, the 21st in Trinidad, and I am still available that day. Is this still convenient for you? 2:30pm? I can meet you wherever you would like.

Thank you!

Bill

--
William C. Rich, M.A., RPA
Principal Investigator
William Rich and Associates
Cultural Resource Consultants
P.O. Box 184
Bayside, CA 95524
(707) 834-5347

William Rich <wcr@williamrichandassociates.com>
To: Sarah Lindgren-Akana <mzlindgren79@gmail.com>

Sun, May 20, 2018 at 8:50 PM

Hi Sarah,

I will call you in the morning about a meeting place and time. If tomorrow is not convenient for you, can we reschedule soon.

Thanks,

Bill

[Quoted text hidden]



William Rich <wcr@williamrichandassociates.com>

Trinidad Area Projects

3 messages

Sarah Lindgren-Akana <mzlindgren79@gmail.com>
To: William Rich <wcr@williamrichandassociates.com>

Tue, May 22, 2018 at 8:58 AM

Hi Bill,

I was out Friday, so did not receive your email until Monday. Unfortunately, my schedule fills up fast, and I was not able to connect with you yesterday.

I do have an initial response letter for the Moonstone project, and am happy to send that over.

I would also like to get the info for additional projects you mentioned in our phone call. Do you have the proposed project documents available to send? I can review them and get back to you as soon as possible.

Thanks for your help, hope you are well.

Sarah Lindgren-Akana
Tsurai Ancestral Society Secretary

William Rich <wcr@williamrichandassociates.com>
To: Sarah Lindgren-Akana <mzlindgren79@gmail.com>

Tue, May 22, 2018 at 9:29 AM

Hi Sarah,

[REDACTED]

In the next email I will send you the project descriptions for:

-Trinidad Connectivity Project- This the one with the Van Wick Trail and Edwards Street sidewalks.

[REDACTED]

Thanks for your response. I feel that it is important to include any comments the Society has on these projects for the lead agency to consider. Generally the lead is the city, except for the Moonstone project, which is the Coastal Commission.

Bill

[Quoted text hidden]

--
William C. Rich, M.A., RPA
Principal Investigator
William Rich and Associates
Cultural Resource Consultants
P.O. Box 184
Bayside, CA 95524
(707) 834-5347

William Rich <wcr@williamrichandassociates.com>
To: Sarah Lindgren-Akana <mzlindgren79@gmail.com>

Wed, May 23, 2018 at 2:49 PM

Hello Sarah,

Attached are work descriptions and maps for the three other Trinidad projects. Feel free to contact me at anytime with questions or concerns.

I look forward to hearing from you!

Bill

[Quoted text hidden]

3 attachments



VanWycke.zip

464K



Trinidad_Stormwater.zip

3509K



Trinidad_Lighthouse.zip

774K



William Rich <wcr@williamrichandassociates.com>

Cultural Resources Investigation- [REDACTED]**Frankie Myers** <fmyers@yuroktribe.nsn.us>

Wed, Apr 4, 2018 at 3:15 PM

To: William Rich <wcr@williamrichandassociates.com>, "Thomas P. O'Rourke" <torourke@yuroktribe.nsn.us>

Bill,

I think we should schedule a sit down early next week to go over all of the various projects you are working on in Yurok Territory. It has been awhile since we sat down and talked and it is about time. Are you available on Monday at 10am in Klamath.

Sent from my U.S. Cellular® Smartphone

[Quoted text hidden]



William Rich <wcr@williamrichandassociates.com>

Cultural Resources Investigation- [REDACTED]

William Rich <wcr@williamrichandassociates.com>
To: Frankie Myers <fmyers@yuroktribe.nsn.us>
Cc: "Thomas P. O'Rourke" <torourke@yuroktribe.nsn.us>

Wed, Apr 4, 2018 at 10:17 PM

Hello Frankie,

Thanks for emailing and I agree completely. There is much for me to learn from you about these projects, however Monday at that time is not good for my schedule. I could do earlier, but would have to be at HSU by 1pm. Tuesday is open. The rest of the week is not so good.

Can we adjust to earlier on Monday or any time on Tuesday?

Looking forward to meeting with you again.

Bill

[Quoted text hidden]



William Rich <wcr@williamrichandassociates.com>

Cultural Resources Investigation- [REDACTED]

William Rich <wcr@williamrichandassociates.com>

Fri, Apr 27, 2018 at 11:48 AM

To: Frankie Myers <fmyers@yuroktribe.nsn.us>

Cc: "Thomas P. O'Rourke" <torourke@yuroktribe.nsn.us>

Hello Chairman O'Rourke and Frankie,

I hope you are both doing well. I am following up on a meeting time and place to discuss multiple cultural resources projects in Trinidad and near Weitchpec. I am available next week on Tuesday, Thursday and possibly Friday. I'm hoping we could meet in Trinidad, but I can meet you in Klamath, as well.

[REDACTED]

Thank you!

Bill

[Quoted text hidden]



William Rich <wcr@williamrichandassociates.com>

William Rich and Associates projects

7 messages

William Rich <wcr@williamrichandassociates.com>
To: Frankie Myers <fmyers@yuroktribe.nsn.us>

Fri, May 11, 2018 at 1:27 PM

Hello Frankie,

Do you have time to meet about a few of the projects on my plate. I am running to a few deadlines and want to make sure your perspectives are accounted for in my reports.

I will be available at your convenience.

Thanks,

Bill

--
William C. Rich, M.A., RPA
Principal Investigator
William Rich and Associates
Cultural Resource Consultants
P.O. Box 184
Bayside, CA 95524
(707) 834-5347

Frankie Myers <fmyers@yuroktribe.nsn.us>
To: William Rich <wcr@williamrichandassociates.com>

Fri, May 11, 2018 at 1:29 PM

Yeah I got another meeting in Klamath in Monday so I could meet in the afternoon if that works for you.

Sent from my U.S. Cellular® Smartphone
[Quoted text hidden]

William Rich <wcr@williamrichandassociates.com>
To: Frankie Myers <fmyers@yuroktribe.nsn.us>

Fri, May 11, 2018 at 1:33 PM

Hi Frankie,

Do you have any other availability, besides Monday? I forgot I had another obligation that day.

Bill
[Quoted text hidden]

Frankie Myers <fmyers@yuroktribe.nsn.us>
To: William Rich <wcr@williamrichandassociates.com>

Tue, May 15, 2018 at 9:26 AM

We need to meet and are open at 10am on Monday the 21st here at the Klamath Office. I have arranged to have Chairman O'Rourke, Council Member Vandlandingham and myself

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: William Rich <wcr@williamrichandassociates.com>
Date: 5/11/18 1:33 PM (GMT-08:00)
To: Frankie Myers <fmyers@yuroktribe.nsn.us>
Subject: Re: William Rich and Associates projects

Hi Frankie,

Do you have any other availability, besides Monday? I forgot I had another obligation that day.

Bill

On Fri, May 11, 2018 at 1:29 PM, Frankie Myers <fmyers@yuroktribe.nsn.us<mailto:fmyers@yuroktribe.nsn.us>> wrote:
Yeah I got another meeting in Klamath in Monday so I could meet in the afternoon if that works for you.

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: William Rich <wcr@williamrichandassociates.com<mailto:wcr@williamrichandassociates.com>>
Date: 5/11/18 1:27 PM (GMT-08:00)
[Quoted text hidden]

William Rich <wcr@williamrichandassociates.com>
To: Frankie Myers <fmyers@yuroktribe.nsn.us>

Tue, May 15, 2018 at 9:30 AM

Hi Frankie,

Great! I will see you in Klamath at 10am on Monday, the 21st. Hoping to discuss the following projects:

[REDACTED]

3. Trinidad Sidewalks

[REDACTED]

Thank you,

Bill

[Quoted text hidden]

Frankie Myers <fmyers@yuroktribe.nsn.us>
To: William Rich <wcr@williamrichandassociates.com>

Tue, May 15, 2018 at 9:34 AM

Also, the Van Wycke Trail.

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: William Rich <wcr@williamrichandassociates.com>
Date: 5/15/18 9:30 AM (GMT-08:00)
To: Frankie Myers <fmyers@yuroktribe.nsn.us>
Subject: Re: William Rich and Associates projects

Hi Frankie,

Great! I will see you in Klamath at 10am on Monday, the 21st. Hoping to discuss the following projects:

1. [REDACTED]
2. [REDACTED]
3. Trinidad Sidewalks
4. [REDACTED]
5. [REDACTED]

Thank you,

Bill

On Tue, May 15, 2018 at 9:26 AM, Frankie Myers <fmyers@yuroktribe.nsn.us<mailto:fmyers@yuroktribe.nsn.us>> wrote:
We need to meet and are open at 10am on Monday the 21st here at the Klamath Office. I have arranged to have
Chairman O'Rourke, Council Member Vandlandingham and Myself

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: William Rich <wcr@williamrichandassociates.com<mailto:wcr@williamrichandassociates.com>>
Date: 5/11/18 1:33 PM (GMT-08:00)
To: Frankie Myers <fmyers@yuroktribe.nsn.us<mailto:fmyers@yuroktribe.nsn.us>>
Subject: Re: William Rich and Associates projects

Hi Frankie,

Do you have any other availability, besides Monday? I forgot I had another obligation that day.

Bill

On Fri, May 11, 2018 at 1:29 PM, Frankie Myers <fmyers@yuroktribe.nsn.us<mailto:fmyers@yuroktribe.nsn.us>
<mailto:fmyers@yuroktribe.nsn.us<mailto:fmyers@yuroktribe.nsn.us>>> wrote:
Yeah I got another meeting in klamath in Monday so I could meet in the afternoon if that works for you.

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: William Rich <wcr@williamrichandassociates.com<mailto:wcr@williamrichandassociates.com><mailto:wcr@williamrichandassociates.com<mailto:wcr@williamrichandassociates.com>>>
Date: 5/11/18 1:27 PM (GMT-08:00)
[Quoted text hidden]

William Rich <wcr@williamrichandassociates.com>
To: Frankie Myers <fmyers@yuroktribe.nsn.us>

Tue, May 15, 2018 at 9:35 AM

Hi Frankie,

Sorry, yes that is the "Trinidad Sidewalks" project.

Thank you!

Bill

[Quoted text hidden]



William Rich <wcr@williamrichandassociates.com>

Trinidad Project Descriptions and Maps (from: William Rich)

1 message

Kimberly Rich <ksr@williamrichandassociates.com>

Wed, May 23, 2018 at 2:41 PM

To: fmyers@yuroktribe.nsn.us, rclayburn@yuroktribe.nsn.us

Cc: William Rich <wcr@williamrichandassociates.com>

Hello Frankie and Rosie,

Bill asked me to send you a package of work descriptions and maps for the projects you talked about in your meeting on Monday. [REDACTED] report is also included, as well as, our original notification letters.

As you review everything, please don't hesitate to contact Bill with any questions or concerns.

Thank you!

Kim

--

Kimberly Rich, M.S.*William Rich and Associates**Cultural Resource Consultants**P.O. Box 184**Bayside, CA 95524***WRA_Project Descriptions_Yurok.zip**
17494K



William Rich <wcr@williamrichandassociates.com>

Trinidad Walk-June 13

3 messages

William Rich <wcr@williamrichandassociates.com>

Thu, Jun 7, 2018 at 10:33 PM

To: Frankie Myers <fmyers@yuroktribe.nsn.us>, rclayburn@yuroktribe.nsn.us

Hello Frankie and Rosie,

Are you still available to meet on the 13th in Trinidad? Let me know where you would like to meet.

Thank you!

Bill

--
William C. Rich, M.A., RPA
Principal Investigator
William Rich and Associates
Cultural Resource Consultants
P.O. Box 184
Bayside, CA 95524
(707) 834-5347

Frankie Myers <fmyers@yuroktribe.nsn.us>

Fri, Jun 8, 2018 at 9:43 AM

To: William Rich <wcr@williamrichandassociates.com>, Rosie Clayburn <rclayburn@yuroktribe.nsn.us>

Bill,

I still have it on my schedule to meet with you on the 13th.

Wok-hlew',

Frankie Joe Myers

Yurok Tribe
Office of Tribal Heritage Preservation
HC 67 Box 196
23001 State Hwy 96
Weitchpec CA, 95546
Office # 1-530-625-4130 ex.1629
Cell # 1-707-498-2536

From: William Rich [mailto:wcr@williamrichandassociates.com]
Sent: Thursday, June 07, 2018 10:33 PM
To: Frankie Myers; Rosie Clayburn
Subject: Trinidad Walk-June 13

[Quoted text hidden]

William Rich <wcr@williamrichandassociates.com>
To: Frankie Myers <fmyers@yuroktribe.nsn.us>
Cc: Rosie Clayburn <rclayburn@yuroktribe.nsn.us>

Fri, Jun 8, 2018 at 11:22 AM

Great! At your convenience, let me know what time and where.

Thank you,

Bill

[Quoted text hidden]



William Rich <wcr@williamrichandassociates.com>

Trinidad site visit

2 messages

Frankie Myers <fmyers@yuroktribe.nsn.us>
To: William Rich <wcr@williamrichandassociates.com>

Tue, Jun 12, 2018 at 4:15 PM

Following up on our scheduled meeting with you to do a site visit in Trinidad tomorrow. We will be meeting at the gas station at 10am. Please let me know if this doesn't work as we have scheduled council members o attend as well.

Get Outlook for Android<<https://aka.ms/ghei36>>

William Rich <wcr@williamrichandassociates.com>
To: Frankie Myers <fmyers@yuroktribe.nsn.us>

Tue, Jun 12, 2018 at 4:24 PM

Confirmed. See you tomorrow.
Thanks!

Bill

[Quoted text hidden]

--

William C. Rich, M.A., RPA
Principal Investigator
William Rich and Associates
Cultural Resource Consultants
P.O. Box 184
Bayside, CA 95524
(707) 834-5347

CONFIDENTIAL

Thirteenth visit

1995-1996

To: William Rich & Associates
From: [unclear] & Associates

Following is an anticipated meeting with you to do a site visit in the field tomorrow. We will be meeting at the gas station at 10 AM. Please let me know if this does not work as we have scheduled about 10 AM to 12 PM as well.

Let Outlook for Android (not a reply)

William Rich & Associates
To: [unclear] & Associates

Copy of 8:00 you tomorrow
The 1st

BT

(continued)

William C. Rich, M.A., RPA
President/Manager
Rich & Associates
2000 R Street, N.E.
Suite 100
Atlanta, GA 30324
404-525-0247

William Rich & Associates

Tue, Jun 13, 2016 at 4:15 PM

Tue, Jun 13, 2016 at 4:15 PM

week to discuss a resolution, and it will be an agenda item. Mayor Ladwig advised that he is open to questions.

2. Van Wycke Bicycle and Pedestrian Connectivity Project: Public hearing to accept public, Commissioner, and interested party comments on the proposed Mitigated Negative Declaration and Initial Study for this project pursuant to the California Environmental Quality Act. *No action will be taken at this meeting.*

Commissioner Questions and Comment

Commissioner Graves clarified for the public that this meeting is not a hearing on the project, but only a discussion regarding the CEQA document. He stated that this meeting is to obtain public input during the comment period.

Planner Garry Reese, from SHN, stated that he is standing in for City Planner Trever Parker for this meeting, because she is on vacation. He stated that his role at the meeting is document public comment and that he will answer questions regarding the CEQA process and requirements. He provided a brief summary of the project, which is funded by a Caltrans grant.

Reese stated that there is a thirty-day public comment period on the Initial Study and proposed Mitigated Negative Declaration, closing on March 20, 2019. Reese clarified that the final design, as well as permitting, will be completed after the CEQA document is approved.

Commissioner Stockness clarified to the public that she has visited the project sites to familiarize herself with the topic of discussion.

Commissioner Graves disclosed that he had ex-parte communication with Zuretti Goosby who was the first executive director of Yurok Tribe and worked for the California Legislature.

Commissioner Johnson stated that he found the document to be difficult to read and that it could benefit from a table of contents and a purpose statement. He noted that the attachments are not labeled correctly. He requested updated geological information.

Commissioner Kelly stated that the document would benefit from a clear purpose statement. Kelly requested clarification regarding dimensions on the project. Kelly stated that she would like to see a conceptual design and viewshed analysis.

Reese clarified that it is a preliminary design at this point, and that the grant funding for more detailed design work can't be accessed until the CEQA document is approved.

Commissioner Stockness advised that she read the purpose of the document in the project description. Stockness requested clarification on who is completing the final design. GHD representative Josh Wolfe confirmed that GHD is completing the final design after the CEQA document is completed and the next round of funding is obtained from Caltrans, which is expected in July.

Commissioner Stockness voiced her concern about the bluff and requested more information regarding discussions with uphill landowners to move the trail upslope. Wolfe confirmed that there have been positive discussions with adjacent property owners, but nothing is finalized. Stockness raised concern regarding the retaining wall and what alternatives might be available. Planner Reese advised that the CEQA document discusses alternatives. Commissioner Kelly opined that there needs to be clarification whether a retaining wall is an absolute necessity.

Commissioner Graves stated that the layout of the document was difficult to read. Graves requested clarity on the geological impacts as the data is out of date. Graves also stated that it wasn't until the end of the document that the reader becomes aware that the project is being objected to by tribal groups. He stated that there needs to be more information regarding that opposition and why the City is moving forward anyway, as the existing discussion feels like an afterthought. Commissioner Johnson agreed that more information regarding tribal cultural resources would be beneficial to the document.

Public Comment

City resident, J. Cuthbertson, states that the trail was well used by the public, there are multiple uses, which should be considered the baseline. He notes that there have been numerous discussions at the City Council level. Cuthbertson stated that during those discussions there wasn't a single complaint from the tribes.

City resident, D. Grover, stated that he has 35 plus years of construction experience and has worked on cliff side projects. He advised that there are multiple ways to preserve the area and he would like to help with the planning and design.

Resident, D. Cox, requested clarification as to how far east the project goes.

Greater Trinidad area resident, Ro. Johnson, disclosed that he is a geologist and has ties to SHN, but is retired. He stated that the basis of the document is out of date, as the geologic information is from 2011. He advised that currently there is a stormwater drainage system in the vicinity of the trail, but it is not properly addressed in the CEQA document. Johnson also discussed how stabilization in the area could be an issue and that the project might not be feasible. He stated that the Yurok Cultural Committee

requested the project be revised. He doesn't think the Tsurai Ancestral Society are aware of the storm drain.

City resident, J. Cuthbertson, stated that the storm drain pipe is working and that the City needs more information regarding drainage.

City resident, L. Farrar, stated that the original goal was to repair the Van Wycke Trail, but now the project has expanded. Farrar wants clarification as to why the scope of work has expanded. She stated that it feels aggressive for such a small community.

City resident, A. Grau, stated his concern about the expansion of the project and that it is unnecessary for the size of Trinidad.

Written communication was received from 3 sources in opposition: Tsurai Ancestral Society, Kimberly Tays, and Leslie Farrar

Commissioner Discussion

Commissioner Johnson made a general comment stating that a minor design or photo mock-up of where the retaining wall is estimated to be would be beneficial, as it will help people understand the scope of the project. Commissioner Johnson also stated that the document lacks clarity and needs a substantial amount of work. Johnson wouldn't feel comfortable approving the project at this point.

*Motion (Johnson/Stockness) to continue the discussion at the March 20th meeting.
(Passed 4-0)*

VI. COUNCIL REPORT

Commissioner Stockness stated that the Council has been conducting interviews for a new City Manager.

VII. STAFF REPORT

Commissioner Graves disclosed ex parte communication email exchange between Commissioners. Graves addressed Brown Act training, problems with minutes, and the new meeting protocols.

He explained that he and the City Clerk met with Access Humboldt to discuss the potential of video recording meetings, which would allow the staff to move to shorter "action minutes." Graves advised the final decision would be made by the City Council. Commissioner Stockness stated that she is not in favor of video recording, as it is

IV. ITEMS FROM THE FLOOR

A. Grau (City Resident) advised his public comments at the City Council meetings are either incomplete or biased when presented in the minutes. He questioned the Commissioners' attendance at the Reinman 2018-05 hearing and spoke in opposition of the balcony construction.

L. Farrar (City Resident) spoke in opposition of the downtown pedestrian improvement project.

V. AGENDA ITEMS

- a. Van Wycke Bicycle and Pedestrian Connectivity Project: Discussion/Decision on responses to comments and whether to approve the proposed Mitigated Negative Declaration and Initial Study for this project pursuant to the California Environmental Quality Act.

Commissioner Graves confirmed with the Commissioners that no ex parte communication took place.

Staff report: City Planner Parker provided additional context as to how the project fits in with the City planning process. She confirmed that the City has been seeking funding for the project over the course of multiple years and noted that, in the past, there was community support. Parker clarified that Cal Trans will not release grant funding for phase two until phase one (environmental review) is completed. Parker stated that phase two of the project would include additional public outreach and meetings. She advised that the project will include an updated geotechnical report, which will inform the final design of the retaining wall. She confirmed property owners upslope of the project will be included in the discussion. She advised the CEQA document is one step amongst multiple, and is solely addressing the environmental impacts. At this point in the process, alternatives have not been thoroughly discussed, as it is not required at this time. She clarified that the City cannot close the trail without an LCP amendment and a Coastal Development Permit.

Parker confirmed that a few minor changes and corrections have been made to the CEQA document in response to the comments made at the February Planning Commission meeting and during the public comment period. She stated that, factually, the information is correct. She opined that recirculation of the document is not necessary. Staff is recommending approval of the Mitigated Negative Declaration.

Commissioners Questions/Comments:

Commissioner Lake spoke in opposition of the project. She questioned the mitigation of environmental impacts, specifically of the retaining wall installation. She stated her

concern of the steep slope and the impact to the bluff over time. Lake stated the timeline is problematic and has created a reactionary CEQA document. She mentioned that tribal entities have objected the project. Lake requested a cumulative impact analysis.

Commissioner Johnson addressed the update provided to the Council on October 17, 2016, stating that he is under the impression that the City has the capability to make design changes. Johnson requested clarification on the proposed class one bike path. City Planner Parker confirmed bikes have been removed from the trail portion on the Van Wycke Trail. Parker stated there will be separate bike paths on Edwards St.

Commissioner Kelly stated she is concerned with safety. She advised that she would like the project to move forward to the next step, with the understanding that the Commission will see more of the plans and additional documentation. She stated from there, the City can then mitigate any environmental and cultural concerns.

Stockness confirmed the project has been discussed since 2008, and advised the City needs transportation alternatives for residents and tourists. She echoed Kelly's safety concerns. She also stated her concern regarding environmental impacts, of installation of the retaining wall on the slope, but did advise that she would like the project to move forward to in order to see the alternatives. She stated that she wants easements and the storm drain addressed.

Commissioner Graves requested confirmation as to whether the Planning Commission will have the opportunity to weigh in on the final environmental impacts of the project. Parker confirmed that permits and the design review will come before the Planning Commission, and additional conditions can be added at that time to address any new or residual issues. Significant changes to the project could require revisions and recirculation of the CEQA document.

Commissioner Lake requested clarification on the statement that the Council will "likely" be involved in the next steps in the project. City Planner clarified that the City Council will need to approve a new scope of work for the next phase of the grant. As to the timeline of their involvement in public meetings and presentations, Parker stated that she does not have information regarding scheduling. No hearings are required before the Council at this point. Parker confirmed that the CEQA document is not required to come before the Council again.

Commissioner Lake questioned the involvement of the tribal communities. City Planner Parker confirmed that the City has consulted with all three tribal entities. The City is committed to continuing to involve tribal entities through government to government consultations and public outreach meetings. Mitigation in the CEQA document requires cultural monitoring, continued consultation and development of an inadvertent discovery protocol.

Commissioner Lake stated that safety is not part of the CEQA document. City Planner Parker advised that public safety is mentioned in multiple sections, such as hazards. Lake opines safety can be improved for pedestrians with installation of stop signs. She also stated that the proposed bike path does not improve safety.

Public Comment:

City Resident, A. Grau, spoke in opposition of the project, as it does not fit the character of the City.

D. Grover (City Resident) stated he is concerned about the project moving forward before alternatives are discussed. He stated there are ways to integrate the retaining wall into the natural design that will lessen the environmental impact.

L. Farrar (City Resident) spoke in opposition to the project. She opined that the vegetation disturbance has been glossed over, and she is concerned invasive species may be planted.

D. Cox (City Resident) spoke in opposition of the project and stated she has additional concerns unrelated to the environmental impacts. She stated she is concerned that the grant funding will allow extensive soldier piling.

Commissioner Discussion:

Commissioner Lake questioned the size of the retaining wall. Parker advised that different sizes are mentioned, as there is not a final design.

Commissioner Johnson stated he is not in favor of how this project has to be handled, as decisions are being made prior to a submittal of a final design. He stated that he is currently neutral to the project, but he is willing to vote it forward to the next step, as it will allow the Planning Commission and public to understand the project in more detail. He requested that the City Engineer be made aware that there needs to be a robust plan for public input, so public comment meetings need to happen on an incremental basis.

Commissioner Stockness recommended that the City Engineer give a presentation to the Commission. Commissioner Johnson advised the engineer will not be able to provide more information, since the City can't access more grant funding or proceed with the design until the CEQA document is completed.

Commissioner Lake stated that if the CEQA document is approved the Commission is stating that the environmental impacts are mitigated. Commissioner Graves echoed Commissioner Lake's statement. Parker advised the Commission or City Council can request an update to the CEQA document changes arise, further stating the

Commission can deny the project through the permit process. Parker also mentioned that Coastal Act standards must be addressed in the future permits.

Commissioner Lake stated there is not a mandate for public meetings/environmental clarifications. Parker confirmed that GHD is required to provide public outreach meetings, per the grant requirements. Public meetings are also mandatory during the permitting process.

Commissioner Kelly requested further clarification. She questioned if there is recourse if the Planning Commission, City Council, and the public find a problem with the design elements. Parker confirmed that the City can always choose not to move forward with the project.

Commissioner Graves reminded the Commission that if the document is approved it falls on the Planning Commission's shoulders to ensure that the project is environmentally sound.

Commissioner Lake questioned how the Commission can mitigate problems farther into the project. Parker advised it requires multiple permits and design review, so it will come before the Planning Commission again. Parker further clarified that the Planning Commission can add additional conditions of approval.

Commissioner Graves stated that not all of their questions will be answered upon the initial study and checklist, but that there will be opportunities during other permitting phases to weigh in on the project. Graves opines the project feels like it is driven by grants, not about need. Graves is also concerned with the timeline, as he feels that the project will take longer than the estimated completion date.

Parker echoed Graves statement that there will be more opportunities through the permitting process. Parker advised the CEQA document is general and analyzes the worst case scenario, since the design has not been completed.

Public Comments:

S. Madrone (Greater Trinidad Area Resident) spoke in opposition of the project. Stating the project doesn't solve the problem, but instead only treats the symptom in an area of sensitivity. He stated CEQA does require due diligence in finding the least damaging alternatives, but he opines the project should be a small footprint, not the current estimated size. He suggests the City needs to have the Tsurai involved.

Commissioners Discussion:

Motion – (Lake/Graves) to deny the adoption of the Mitigated Negative Declaration for the Van Wycke Bicycle and Pedestrian Connectivity Project

Ayes – Lake, Graves

Nays – Johnson, Kelly, Stockness

Motion to deny the adoption of the Mitigated Negative Declaration failed. (3-2)

Commissioner Kelly stated that if the negative declaration is rejected funding will be difficult. Commissioner Kelly opined that the City will likely get a scaled back version in the end. Stockness echoed Commissioner Kelly's statement. Stockness further stated that the trail needs to be improved because pedestrians will use it regardless.

Commissioner Lake advised that the City may end up with a 150 ft. wall, and then the Commission cannot vote it down. City Planner Parker confirmed that the Planning Commission can vote to deny a 150 ft. wall.

Motion to continue the hearing at the next meeting at which the City Engineer and support staff will be present (Stockness/Kelly). Passed unanimously (5-0)

Johnson is in support of having the City Engineer provide a presentation, but reminded the Commission that they will not receive additional/new information. However, he advised it is beneficial, as it will give the Planning Commission an opportunity to ask questions.

- b. Reinschmidt 2019-02: Design Review and Coastal Development Permit to construct a new 36-ft x 24 ft., 864 sq. ft., 24-ft tall, detached garage with attic storage area and half bath. The garage was previously approved by the Planning Commission in February 2007, but was never constructed, and the approval has expired. Located at: 15 Berry Road; APN: 515-331-47

Vice Chair, Johnson confirmed that Chair Graves has left the meeting due to a health issue.

Staff Report: City Planner Parker stated the project was previously approved in 2007. Presently, there is a premanufactured home onsite, but the previously approved garage was never built and the approval/permit expired. There is an existing pad, so additional ground disturbance will not occur. The site is on a minor slope towards Mill Creek and there is quite a bit of vegetation growth. View shed is not a concern. There are conditions of approval that will be addressed during the permitting process.

Garages are not regulated as detached accessory structures based on past precedent; if they were the height limit would be limited 15 ft. and would have no rear or side setbacks. The applicant is requesting to construct a previously approved 25 ft. two car garage. Parking will not change, building codes are met, the septic system will not be impacted, and building materials are consistent with the materials already onsite. It

concerned that the coverings/balconies could be turned into rooms. Grau stated that he recommends that the minutes list the person's name followed by "stated."

Commissioner Stockness responded that Planning Commissioners should observe the project. Parker advised that Commissioner Stockness can review the building plans.

V. AGENDA ITEMS

1. Van Wycke Bicycle and Pedestrian Connectivity Project: Discussion/Decision on responses to comments and whether to approve the proposed Mitigated Negative Declaration and Initial Study for this project pursuant to the California Environmental Quality Act. *Continued from the March 20, 2019 meeting.*

Staff report

Parker noted the City Engineer is present to provide additional context. She stated there is no new material to present, but there will be other issues, including Coastal Act requirements to address at a later time during the permitting process. She stated the next steps will include a new geotechnical analysis, public outreach, design review, and permitting. She stated there will be more opportunities for the Commission to weigh in on the project and any outstanding issues.

GHD City Engineer, Steve Allen, discussed the history of the project, noting that the trail used to be a road, and he further addressed the utilities. He stated the City needs to evaluate their options, as grant funding is available now; GHD has been working on this project at the behest of the City Council for at least 10 years. He stated GHD explored multiple options. Allen stated the largest issue is funding. He clarified the City went through an initial public process in order to discuss the terms of the Caltrans grant requirements. Allen stated that GHD changed the construction material from pavement to gravel, and the trail has been narrowed. He stated CEQA documents present worst case scenarios.

Commissioners Questions/Comments

Commissioner Stockness confirmed with Allen that GHD has worked alongside Caltrans and applauded all City staff for their hard work. Commissioner Kelly stated ultimately the project needs to be consistent with the original grant application, as there are parameters from which the grant was approved. Kelly questioned if the City has the opportunity to request a smaller project after further studies are completed. City Engineer Allen confirmed that the City will have the opportunity, though certain grant objectives have to be met.

Kelly questioned Parker and Allen's response to the California Coastal Commission's letter opposing the project. Parker stated the letter is not out of the norm and that the letter was intended to address future CDP requirements as much as the CEQA document. She stated one of the next steps in the process will be to meet with CCC staff. Allen stated that GHD was not overly surprised by the letter, and that from GHD's perspective the CCC is not against the project, but instead is providing input; he noted that CCC staff had been involved in the early planning stage.

Commissioner Johnson stated the largest problem is the lack of information, especially regarding design. Commissioner Johnson and Commissioner Graves both questioned the impact on the storm drain and utilities if this project did not move forward.

Allen stated that the phone and cable (dry utilities) can be moved, the water line can also be redirected, but removing the gravity fed storm drain is a larger issue. He stated if the project does not move forward, the slide will continue, and the pipe will likely break causing more erosion. He stated options are limited and the responsibility would fall upon the City if the project does not move forward.

Commissioner Lake stated page 7 of 93 of the CEQA document has incorrect information regarding current trail closure. She states that while the document states the project is a community priority, it was unclear that this would be the outcome. Lake questioned whether all environmental impacts could really be eliminated and suggested the Edwards Street retaining wall should be included in cumulative impacts. Lake stated she is unclear as to why the City did not perform an EIR and that by law the City must work in tandem with the CCC. She further stated that environment impacts cannot be determined without the final project design. Lake read to the Commission and public prepared information regarding court rulings, and CEQA requirements. Lake questioned why GHD is focusing on utilities, as the project is primarily about connectivity.

Parker stated there has not been enough information to show cumulative impacts, as another retaining wall is speculative. Allen stated GHD must consider all utilities where improvements are being made.

Commissioner Graves addressed written comments received from Gottschalk and Duclos, regarding their concern of heavy machinery negatively impacting the area. Allen stated that standard construction practices will be used. He also stated he is more concerned about what will occur if the project is not completed because it is an active slide. Allen stated the project will add stability in the long run.

Commissioner Lake noted the CCC is questioning how the ESHA will be protected if there is no soil left, and whether the City has met tribal obligations, as both the Yurok and Tsurai spoke in opposition to the project. Parker stated the CCC's definition of an ESHA was used, and clarified that if something is disturbed, it will be replanted in a ratio of 3-1, which would include restoring areas currently impacted by invasive species. Allen stated that native soil will be retained and used as top soil and the goal is to re-stabilize the trail. Commissioner Stockness questioned when the CCC was in Trinidad. Parker and Allen confirmed roughly a year and a half ago.

Parker stated the Native American Heritage Commission advised the City has done a good job in consulting with the tribes, and the NAHC confirmed their organization is responsible if remains are found. Parker stated the City had multiple consultations with and all recommendations of the archaeological report were followed. Allen stated that GHD has also been working with tribal entities.

Commissioner Johnson confirmed that the water line that currently parallels the trails has been shut off in case of a break, which affects pressures and fire flows in the neighborhood. Allen confirmed that is correct.

Public Comment

A. Grau (433 Ewing) stated he is concerned about the project. He stated he read the CCC's letter, while also stating the project could destabilize the bluff, causing erosion. He also doesn't like the bright crosswalks. He stated a wall is just one approach and the project is reminiscent of the hotel project.

L. Farrar (433 Ewing) stated her concern with erosion. She stated the City is spending too much money on a short stretch of trail. She stated that the City is putting a band-aid on a problem and should focus on moving the trail to Edwards.

S. Madrone (Greater Trinidad Area Resident) provided a brief background on the current retaining wall, which he designed and built. The wall was built in the mid-1990s, cost the City roughly \$12,000, and has lasted 30 years. The wall is still vertical, due to the engineering technique used, which has significantly reduced what could have been lost. In the early 2000s he was hired to perform repairs, which only cost \$3,000. He stated multiple proposals should be reviewed, as the City could opt for a biotechnical wall (willow and rocks), which creates a small footprint. He stated that even with the wall the slide will continue, but the trail will remain intact. He noted tribal entities oppose the project.

Commissioner Graves responded to Madrone confirming his statement of a micro vs a macro look. Madrone stated that the CCC prefers biology and engineering to be

combined. Commissioner Lake questioned the impact on sand loss. Madrone stated sand would not be impacted by his proposal.

R. Johnson (Greater Trinidad Area Resident) stated he is licensed by the state of California as a professional geologist. He stated that the previous speaker is a non-licensed professional. He stated the area is an active slide and the City has an opportunity to mitigate the problem. He stated that nothing is perfect, but the opportunity to fix it should be seized. He stated he has a background in geological engineering and is licensed certified in the state of California.

S. Madrone (Greater Trinidad Area Resident) in response stated he is a licensed contractor, but due to his current position he does not currently hold a license. He further stated that he does not have a conflict of interest and is only offering advice.

Commissioner Questions/Comments

Commissioner Johnson would like to see additional alternatives considered and noted that there are more coastal permit requirements that will need to be met. Allen confirmed the geotechnical study will be completed first, which will help determine what the best approach would be.

Johnson stated it is clear there are significant issues that were raised by CCC staff, but from his understanding the City is working in conjunction with them. He questioned if there is a requirement to respond to the CCC. Parker stated that the requirement is the CEQA process and confirmed that she did respond to their concerns, which is included in the MND. She also clarified that many topics of their concern were unrelated to CEQA.

Commissioner Lake requested City Manager Naffah confirm whether the grant funding will need to be paid back if the project is denied. Naffah stated he does not believe it would be, as the City is conducting studies, which produce a product. Graves clarifies the appeal process for the CEQA document.

Written comments received in opposition: K. Tays, Tsurai Ancestral Society, M. Gottschalk and R. Duclos

Commissioners Discussion

Motion (Lakel/Graves) to deny the Mitigated Negative Declaration based on the lack of any specified project, the lack of project alternatives (including "no project"), and the insufficient data/information to determine whether significant environmental impacts that would result from the Van Wycke Bicycle Connectivity Project.

Commissioner Johnson states he is against the motion. He stated that if the MND is denied, the City will not gain potentially valuable information from studies conducted. He stated that if the storm drain fails, the City is responsible to pay the costs.

Commissioner Kelly agrees with Johnson. She stated that it seems there is a general agreement in the community that residents want the trail and that safety is a priority. She stated the problem has been the "how." She stated she sees an opportunity for a design review, permit approval, CDP, and more opportunities to talk to the public in the future. She stated the funding will be used for further studies, and through iteration they can become something worthwhile. She stated she does not want to deny the project, without more information. Commissioner Kelly states she is satisfied with the document, but that there are few areas that are not perfect.

Commissioner Lake acknowledges the comments made, but states her comments are in regards to the CEQA document. She is concerned with the mitigation of environmental impacts.

Ayes – Lake, Graves

Nays – Johnson, Stockness, Kelly

Motion to deny the adoption of the Mitigated Negative Declaration failed (2-3).

Motion (Kelly/Johnson) to adopt the mitigated negative declaration for the Van Wycke Bicycle and Pedestrian Connectivity Project. Resolution No. 1-2019 was read by Commissioner Kelly.

Commissioner Graves states that he agrees with Johnson in regards to gaining additional information. Graves states that due to this, he is willing to vote in approval. He thinks that it will be a benefit to the community.

Ayes – Graves, Johnson, Stockness, Kelly

Nays – Lake

Motion to adopt passed (4-1).

2. Rheinschmidt 2019-02: Design Review and Coastal Development Permit to construct a new 36-ft x 24 ft., 864 sq. ft., 24-ft tall, detached garage with attic storage area and half bath. The garage was previously approved by the Planning Commission in February 2007, but was never constructed, and the approval has expired. Located at: 15 Berry Road; APN: 515-331-47. *Continued from the May 15, 2019 meeting.*

RESPONSE TO COMMENTS

Draft IS-MND

Van Wycke Bicycle and Pedestrian Connectivity Project

This Response to Comments document contains public and agency comments received during the public review period of the Van Wycke Bicycle and Pedestrian Connectivity Project (proposed project) Initial Study / Draft Mitigated Negative Declaration (IS-MND).

The Draft IS-MND was circulated for a 31-day public review period that began on January 28, 2019 and ended on February 28, 2019. The document was also sent to the State Clearinghouse for review by state agencies. A public hearing was held on February 20, 2019 to take public comments on the Draft IS-MND. The following letters and comments were received:

| Comment | Name | Date Received |
|--|-------------------------------------|-------------------|
| Written Comments from Individuals and Organizations | | |
| A | Tsurai Ancestral Society | February 19, 2019 |
| B | Kim Tays | February 14, 2019 |
| Agency Comments | | |
| C | Native American Heritage Commission | February 4, 2019 |
| D | CA Coastal Commission | March 8, 2019 |
| Verbal Comments at the February 20, 2019 Public Hearing | | |
| E | Jim Cuthbertson | |
| F | David Grober | |
| G | Dorothy Cox | |
| H | Roland Johnson | |
| I | Leslie Farrar | |
| J | Alan Grau | |

A summary of the comment and the City's responses follow. Copies of the written comments can be found at the end of this document. The comment letters have been lettered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the letter assigned to the commenter, and then the number assigned to each issue. (Response A.1, for example, indicates that the response is for the first issue raised by commenter A.)

Any changes made to the text of the Draft IS-MND correcting information, data or intent, other than minor typographical conditions or minor working changes are noted in the Final IS-MND as changes from the Draft IS-MND.

Comment A

From: Tsurai Ancestral Society (TAS)

Date: February 19, 2019

Overall Response:

This letter does not address environmental impacts or CEQA issues, but objects to the project. Approval of the CEQA document does not authorize the project to proceed. No change to the CEQA document is required. However, a brief response to is provided by the City below.

Comment A.1: The TAS requests that the Planning Commission take no action until the declaratory relief complaint filed by the City, which affects protection of the Tsurai Study Area (TSA), is decided by a judge.

Response A.1: The Complaint for Declaratory Relief filed by the City does not impact, nor is it impacted by this project. It has to do with two previous lawsuits and implementation of the Tsurai Management Plan, procedural issues for the Tsurai Management Team and other issues regarding the Tsurai Study Area / 12.5 acres under a Coastal Conservancy easement. The proposed project does not occur within the Tsurai Study Area. Any new walkway along the south side of Edwards Street will be constructed within the existing right-of-way, and within the already paved and developed portion of the right-of-way. The retaining wall, which is the most intrusive component of the project is not located adjacent to the TSA and will not impact the City's obligation (if any) to protect the TSA. The letter presents no evidence that the project will impact the TSA. Any judicial decision resulting from this complaint would not be the responsibility of the Planning Commission to implement.

Comment A.2: The Van Wycke Trail is not a primary trail and a past agreement was made between the City, the TAS, the CA Coastal Conservancy and the Yurok Tribe to develop and implement an alternative route to this trail, which was completed in the early 2000's.

Response A.2: The Van Wycke Trail is not designated as either a primary or secondary trail. Those designations apply only to trails accessing Old Home Beach, which were part of a lawsuit and settlement agreement over the use of the Old Wagon Road Trail access via Wagner Street. In that case, the Axel Lindgren Memorial Trail was designed as the primary trail, and Old Wagon Road, Parker Creek and Groth Lane Trails were designated as secondary trails. The Van Wycke Trail was not discussed in that settlement agreement, nor is it discussed in the Tsurai Management Plan. Staff is not aware of any previous agreement by the City to close the trail. The TAS may be referring to the Walkway project of the early 2000's, which made pedestrian improvements to Edwards Street, including the boardwalk at the lower end. However,

as far as staff is aware, and as reflected in the minutes, that project was never intended or presented as an alternative to any existing trails.

Comment B

From: Kim Tays

Date: February 19, 2019

Comment B.1: The only conceptual images provided are not adequate for assessing the aesthetic impacts of the project.

Response B.1: That is because the final design has not yet been completed. Therefore, conceptual renderings at this point could be misleading. And it would not be an efficient use of resources to put a lot of effort into renderings when the design is likely to change. The next phase of the project includes public outreach to gather input that will help inform the final design. The final proposal will require approval of Design Review and a Coastal Development Permit. At that time, the proposed design will be subject to detailed scrutiny. The retaining wall is not expected to be readily visible once vegetation grows back. Some basic renderings were provided to show what the railing might look like, but again, that design is not final. Additional photos and conceptual renderings were provided as part of a presentation to the City Council on December 14, 2016.

Comment B.2: Exact specifications for the retaining wall are not provided (e.g. size, amount of soil disturbed, depth of drilled piers).

Response B.2: As acknowledged in the project description and elsewhere in the CEQA document, the final design has not been completed. However, some approximations were provided. The exact specifications will depend on the final location and configuration of the trail and will also be partially determined by a new geotechnical report that will be prepared in the next phase of the project. A final design is not necessary in order to adequately determine what the impacts of the project will be. CEQA encourages the environmental analysis to be done early enough in the project planning stages so that changes can be made to a project in order to reduce environmental impacts. CEQA Guidelines §15004(b) states: *"Choosing the precise time for CEQA compliance involves balancing of competing factors. EIRs and negative declarations should be prepared as early as feasible in the planning process to enable environmental considerations to influence project program and design and yet enough to provide meaningful information for environmental assessment."* No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment B.3: There are contradictory statements regarding zoning in the CEQA document, and the project could violate Open Space zoning regulations.

Response B.3: The referenced comments are not actually contradictory. One is a brief summary statement, and one is more detailed. The Edwards Street right of way is very large, and includes the top edge of the bluff, which is still within the right of way, and not within an area zoned Open Space. The improvements along Edwards Street will be constructed within the already developed portion of the right-of-way and will not extend further towards the bluff. The City recently surveyed the area around the failing Van Wycke Trail, which is located on the upper/northern end of the right-of-way, and even encroaches onto some private property located above the trail. This area is zoned Urban Residential, not Open Space. As described in the project description, the City will work with upslope neighbors to locate the trail as far to the north as possible. This will not impact any areas zoned Open Space. Currently, the boundary between Open Space and the right-of-way is an arbitrary line on the slope of a bluff. Where that exact boundary falls in relation to the project does not change the physical impacts of the project. Specific zoning and other regulations will be considered as part of the final design and permitting for the project. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment B.4: The revegetation mitigation is inadequate because the sensitive habitat already exists, invasive plants could recolonize the area and it will take time for the vegetation to regrow.

Response B.4: The proposed mitigation follows the recommendations in the biological report that was prepared for the project. The report was prepared by a qualified professional and follows excepted standards and protocols. Most of the project area is characterized by existing development and non-native vegetation. There were two areas of coastal bramble vegetation community (not coastal scrub as stated in the comment), which is considered an ESHA by the Coastal Commission, found within or near the project area. The project includes the opportunity to move the trail as far upslope as feasible, pending negotiations with property owners and the new geotechnical report. In the case that ESHA is within the construction area, mitigation includes removal of non-native species where possible and replanting with native species in any areas that are disturbed. There are many native species that grow quickly, including coastal bramble. Any coastal bramble that is disturbed will be replaced at a 3:1 ratio (for every square foot disturbed, 3 sq. ft. will be replanted or restored). This can be accomplished by removing invasive species and planting coastal bramble in areas that aren't currently ESHA. A planting plan is also required. It is standard practice to require annual monitoring for 3 to 5 years as part of any restoration activities. The mitigation and monitoring plan has been updated to include additional clarifying details.

Comment B.5: There is a lack of discussion of alternatives and the City should consider rerouting the trail.

Response B.5: The last section of the project description (p. 10-11) briefly describes several alternatives that have been considered. Based on various studies and discussions, City staff and the City Council have determined that a retaining wall is the most feasible and desirable alternative at this point in the process. There is no requirement for a Negative Declaration or Mitigated Negative Declaration to discuss alternatives. Even in an EIR, only feasible alternatives that meet the project objectives and reduce environmental impacts are required to be discussed (CEQA Guidelines § 15126.6). One of the primary objectives of the project is to repair the Van Wycke Trail. And there is no evidences to show that rerouting the trail, even along Edwards Street, would reduce the overall impacts. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed. Also see Response D.7.

Comment B.6: The biological resources section contains contradictory statements and is inadequate.

Response B.6: No explanation is provided as to how each of the quotes included in the comment are contradictory. They provide a summary of the more detailed information in the biological report. The project area lacks specific habitat types required for the various special status animal species (e.g. riparian) that occur in the area. Surveys were conducted during the specific flowering periods of rare plants that could occur in the area, and none were observed. The project area is already disturbed, subject to regular human activities, and no trees will be removed as part of the project. It does not take multiple visits by a biologist to determine that this is not ideal nesting habitat, even though birds may be observed in nearby trees at times. Mitigation has already been included to protect nesting birds and restore any areas of ESHA that may be disturbed. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment B.7: The trail should be moved upslope away from the bluff; the comment includes a reference to Policy 5 of the Trinidad General Plan.

Response B.7: The project is not inconsistent with Policy 5 of the general plan, which suggests that trails with slope stability problems either be improved or closed. The project does include the opportunity to move the trail as far upslope as feasible. However, that is not likely to completely eliminate the need for a retaining wall, though it could minimize the size of it. Also, the gravity storm drain is intended to be stabilized as part of the project and cannot be moved too far upslope. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment B.8: Construction of a retaining wall will significantly alter the landform and exacerbate bluff instability.

Response B.8: Significant alteration of a landform is not part of the CEQA findings. Additionally, the comment suggests that a retaining wall will damage and destabilize the bluff without providing any documentation to support that claim. Several reports have been prepared by registered professionals (in geology and engineering) that recommend a retaining wall as the most appropriate means to stabilize the top of the bluff where it is currently failing. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment B.9: The CEQA document did not evaluate the impacts of the retaining wall on the beach.

Response B.9: This comment is speculative. The retaining wall would be designed to stabilize surficial slope movement at the top of the bluff. Processes below the retaining wall, including tow erosion of the slope would continue to occur. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed. However, the Coastal Commission comment letter (D) also suggested that this issue will need to be addressed as part of the CDP process. The new geotechnical assessment that will be prepared as part of the next phase of this project should address this issue to the extent feasible.

Comment B.10: The CEQA document does not address cumulative impacts considering the potential construction of a retaining wall on Edwards Street.

Response B.10: In an MND, the only place cumulative impacts are addressed is in the "Mandatory Findings of Significance" section near the end of the document. CEQA Guidelines § 15065 states: "A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur:... (3) The project has possible environmental effects that are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

The City does not currently have any proposed plans for how to address the slide near the previous site of the Memorial Lighthouse. A Landslide Mitigation Assessment was prepared by SHN in July 2017. That report was focused primarily on stabilization options for the Lighthouse, which was the immediate concern. However, it did make a recommendation for basically the same retaining wall as is currently proposed for Van Wycke as an option for stabilizing Edwards Street. But such a project is still speculative at this point.

The City will be conducting a coastal hazards planning process in the near future to look at various options for Edwards Street, including rerouting it. (The Van Wycke project could fall into that planning process, but the City already designated this as a priority project many years ago. It was difficult to find any funding to fix the trail, and the loss of this funding will make obtaining any other funding less likely and threaten any opportunity to repair the Van Wycke Trail. But that is not a CEQA issue.) Because construction of a retaining wall on Edwards is speculative at this time, its impacts are not reasonably foreseeable, and therefore do not need to be analyzed in the initial study. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment B.11: The project would violate the Coastal Act.

Response B.11: This is not a CEQA issue. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment C

From: Native American Heritage Commission (NAHC)

Date: February 04, 2019

Comment C.1: The process for naming the Most Likely Descendant (MLD) in the Mitigation Measures in the Cultural Resources section (referenced in the Tribal Cultural Resources section) is incomplete. Health and Safety Code § 7050.5 and Public Resources Code § 5097.98 outline a specific process for the inadvertent finds of human remains. Notification of the tribe determined to be the MLD for the project will be done by the NAHC.

Response C.1: The paragraph following the sample inadvertent discovery protocol developed by the Yurok Tribe on page 32 was updated to reflect the comment and code references above. In addition, the NAHC was added as a consulting party to Mitigation Measure 3 (item 1).

Comment C.2: The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of a proposed project as early as possible.

Response C.2: This appears to be standard template language for their letter rather than a request for the City to conduct additional consultation. The email from the NAHC transmitting the letter states: *"I was very pleased with the City's due diligence in consulting with tribes who are traditionally and culturally affiliated with the project area. Your mitigated negative declaration includes extensive documentation of your efforts and the information you incorporated into mitigation measures after tribal input. This is an excellent example of how*

consultation can work." The City will continue to consult with tribes throughout all phases of this project. In addition to the formal consultation that was conducted for the preparation of the IS-MND pursuant to AB52 and CEQA, the draft document was sent to the tribes several weeks before it was released to the public in order to seek any additional comments; none were received.

Comment D

From: California Coastal Commission

Date: March 11, 2019

Comment D.1: Correct and clarify discrepancies in the scope of the project, including (a) the length of the retaining wall; (b) update Figure 2a; and (c) study area verses project area.

Response D.1a: As described in the project description, the project design is not yet final, and will depend on efforts to move the trail upslope, public outreach and the results of a new geotechnical report. At this point, it is anticipated that the retaining wall may be 50 to 100 ft. long but could be up to 150 ft. long if the trail remains in its current location. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Response D.1b: The City recognizes that conditions have changed since the conceptual site plan for this project was last updated (Figure 2a (Attachment 2), January 2017). However, it is a conceptual plan, and it is recognized throughout the IS-MND that the project details may change, such as the exact location of fencing along the south side of Edwards Street. Clearly the 5.5 ft. walkway leading off the parking area towards the former location of the Trinidad Memorial Lighthouse is no longer necessary. But that does not materially change the scope of the project or its physical impacts. The figure does not need to be updated for the purposes of the IS-MND. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Response D.1c: The study area shown in Attachment 5 (Figure 3 from the biological report) was used to determine the area that was covered by the biological survey. That study area exceeds the extent of the anticipated construction limits. It was also drawn based on the aerial photo in Attachment 2 and is only an approximate location when overlaid on the zoning map. As noted in the letter, this will be important for evaluating the final project design for consistency with the policies of the City's LCP. However, it does not alter the physical impacts of the project. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment D.2: Concerned about the reliance on geotechnical studies and feasibility analyses dating from 2011, because additional slope movement has occurred since then. Both the Edwards Street and Van Wycke slides are mentioned.

Response D.2: According to the Preliminary Assessment prepared in by SHN in March 2017, the recent slide on Edwards Street, near the former location of the Trinidad Memorial Lighthouse is not connected to the slide on Van Wycke. The Landslide Mitigation Assessment prepared by SHN in July 2017 concluded that: *"With regard to Edwards Street, there is currently a buffer between the head of the slide and the edge of the roadway such that there is a lesser immediate risk factor as compared to the lighthouse. However, we expect the head of the landslide to continue encroaching toward Edwards Street within the next few years. We, therefore, recommend that the City of Trinidad strongly consider the construction of a retaining wall system to preserve the full traveled roadway width of Edwards Street, a main transportation artery in the town of Trinidad."* The parking area has already been reconfigured to accommodate the recent slide movement. At this point, the new walkway along the south side of Edwards is expected to be created within the existing paved area of the street, which would not create or be subject to increased risk of instability compared to existing improvements. Also see Response H.1.

Comment D.3: There is conflicting information on page 36 of the IS-MND, stating on the one hand that the project *has been* designed to increase stability, while also stating that the project will be designed *in the future* to increase stability.

Response D.3: Both statements are true to a certain extent; the purpose of the project is to stabilize the failing portion of the Van Wycke Trail. The preliminary design of the retaining wall is intended and designed to increase stability (see RGH Consultants 2011). But that is a preliminary design. The final design will be based on the final trail configuration after discussions and negotiations with upslope property owners and after a new geotechnical report that will inform the final specific design of any retaining wall or other stabilization structure. The following change to the text on page 36 (now 37) within the discussion of Geology and Soils impact a.iv was made to clarify the statements.

The retaining wall ~~is designed~~ has been proposed as the most feasible way to stabilize the Van Wycke Trail in a location that has been damaged by landslide activity.

Comment D.4: The IS-MND does not demonstrate how the project has been designed to avoid adverse impacts on soil erosion when the project includes up to 10,000 sq. ft. of vegetation removal.

Response D.4: If not stabilized, the existing landslide could result in significant erosion and loss of top soil. The IS-MND recognizes that the project, including cut, fill, vegetation removal, and operation of heavy equipment could potentially have

significant impacts, but that the impacts have been reduced to less than significant through incorporation of Mitigation Measure 4, which requires an erosion control plan. The specific erosion potential cannot be determined until a final design has been completed. The project cannot be constructed without future approval of a Grading Permit by the City, which includes specific standards to minimize erosion, sedimentation and dust generation. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment D.5: It is unclear from the IS-MND how the City determined that the project would not occur on geologically unstable soils or that the project would result in a less than significant impact. *"The findings... lack current information about site conditions or details about the project design in support of the statements regarding geologic hazard risk. Additionally, the findings do not demonstrate that the development would not contribute to erosion or geologic instability, or destruction of the site or surrounding area over the economic life of the project."*

Response D.5: The IS-MND did not determine that the project will not occur on unstable soils. The whole purpose of the proposed retaining wall is to stabilize unstable soils. The comment refers to a Coastal policy, which is not a standard for determining significance under CEQA. City staff believes that the discussion does provide adequate support for a finding of less than significant in relation to Geology and Soils impact c. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment D.6: Future CDP application.

Response D.6: These comments will be important for the City to address as part of the eventual CDP application for this project, but are not relevant to the CEQA analysis.

Comment D.7: The alternatives analysis does not sufficiently evaluate the range of possible project alternatives and mitigation measures that should be considered in lieu of assuming construction of a retaining wall.

Response D.7: See Response B.5. Also note that the public review draft of the IS-MND that was circulated did not include a stated purpose as suggested in the comment letter. The comment is noted, and the City will need to address it prior to approval of a CDP for the retaining wall. Although CEQA does not require an analysis of alternatives in an MND, other questions have come up as to whether the retaining wall is really necessary. So the following supplemental information is provided to show that there is no simple solution.

The City has not thoroughly investigated the option of abandoning the trail for several reasons. One, there has been general support and requests from the community to fix

the trail. In addition, the trail is within a public right-of-way and is a long-standing coastal public access trail that is identified as such within the City's Local Coastal Program (LCP) (e.g. Plate 4 of the Trinidad General Plan). Changes in public access fall under the Coastal Act definition of development. Therefore, closure and abandonment of the trail would require approval of a Coastal Development Permit and an amendment to the City's LCP. Further, in closing a public access, the Coastal Act generally requires equal and equivalent access to replace it. The existing striping on the south side of Edwards likely would not meet that requirement, because it does not separate pedestrians from vehicular traffic. Constructing further improvements on either the north or south side of Edwards would be complicated, resulting in the need for significant soil disturbance and retaining walls and / or the loss of parking on the north side, or loss of private improvements and driveway space on the south side (most of the driveways on the south side extend well into the right-of-way). Further, there could be prescriptive or other easement issues along the existing trail. In addition, because most of the houses upslope of the trail were built prior to the Coastal Act, they have some right to protect their property as the slide moves further north, with the possible end result of a retaining wall anyway. So there is no simple fix with this alternative either. But other alternatives could be investigated and considered further as part of the next phase of the project.

Comment D.8: The City should consider alternatives that would avoid disturbance of ESHA.

Response D.8: As mitigated in the IS-MND (Mitigation Measure 2), there will be no significant impacts to ESHA. Only two small pockets were found in or near the project area. The one on Edwards Street is unlikely to be disturbed by the project. The one below Van Wycke could be impacted by construction of the retaining wall. As part of the final design, that will be taken into consideration and avoided if possible. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment D.9: The City is currently working on an update of the LCP. That update includes a coastal hazard study funded by a grant from the Coastal Commission. Therefore, the City should consider how to address the failure of the Van Wycke Trail in that context. And if an amendment is needed to close the trail, it could be included in the LCP update.

Response D.9: This is true, and they are related issues. However, the LCP update is taking much longer than anticipated, and so may not be as timely as suggested in the letter. In addition, when the City wrote the grant to obtain coastal hazards planning funding, it was with the assumption that this project would already be underway, and that the grant would focus on the Edwards Street slide. The City can complete the coastal hazards planning process concurrently with the next phase of this grant project.

And the studies and public outreach completed as part of both projects may complement each other. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment D.10: Citing Coastal Act sections and Trinidad Design Review standard, the comment notes that no visual renderings or simulations of the wall are provided. The comment suggests that the proposed mitigation of requiring a planting plan may not be adequate because poor growing conditions and unstable soils could inhibit plan growth. The comment then suggests that other, less visibly obtrusive alternatives should be considered.

Response D.10: See Responses B.1 and B.5. Conceptual renderings have been provided. No less visually obtrusive alternative has been identified. Vegetation actually does grow quickly in this area, particularly on south-facing slopes that get more sun and are sheltered from the prevailing north-west wind. The issues brought up in this comment will be addressed during the next phase of the project and the required, future Design Review process. The planting plan, and the retaining wall itself, will require approval from the Planning Commission. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment D.11: Citing several Coastal Act sections, the comment states that the City should address how expanding and improving the Van Wycke trail within an active landslide area could be approved consistent with public safety and the need to minimize geologic hazards and avoid contributing the geologic instability. The City should evaluate alternative, less environmentally damaging feasible project designs that could afford increased bicycle and pedestrian connectivity within the community.

Response D.11: These comments will be important for the City to address as part of the eventual CDP application for this project, but are not relevant to the CEQA analysis.

Comment E

From: Jim Cuthbertson

Date: February 20, 2019

Comment E.1: Why is crushed rock being used?

Response E.1: The final design and materials have not yet been determined. This comment is not related to the environmental impacts of the project. It will be addressed as part of the final design of the project, including public outreach and discretionary approvals, including Design Review. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment E.2: The trail currently gets a lot of use, and the environmental baseline includes the current use.

Response E.2: Although the trail is currently posted as closed, the City and the environmental document recognize that this trail is still used by the public and that it received heavy use prior to its failure. This comment does not identify an environmental impact or deficiency in the initial study; no change to the CEQA document is needed.

Comment E.3: The storm drain pipe within the failing trail area is near his house and he believes it is functioning properly.

Response E.3: This comment is not related to the environmental impacts of the project. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment F

From: David Grober

Date: February 20, 2019

Comment F.1: States that he lives near the trail and has experience with trail construction in South America. There are various alternatives to a retaining wall. He offers to help with this project and the City's general plan update.

Response F.1: The comment is noted. There will be ample public outreach opportunities as part of the next phase of this project. This comment is not related to the environmental impacts of the project. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment G

From: Dorothy Cox

Date: February 20, 2019

Comment G.1: She requested clarification on the location of the trail.

Response G.1: The requested clarification in the form of a site plan was provided. This comment is not related to the environmental impacts of the project. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment H

From: Roland Johnson

Date: February 20, 2019

Comment H.1: As a professional geologist, he is concerned about the age of the geotechnical and feasibility reports from 2011. The slide has been active over the past few years, and conditions have changed since 2011.

Response H.1: It is recognized that studies more than five years old may be considered out of date for the purposes of CEQA (though not always). While the slide has continued to move since the previous reports were prepared, the processes described in those reports were anticipated and have not changed. In addition, the underlying geology and identified bedrock has not changed. The most detailed of the reports (RGH Consultants) did a subsurface investigation with borings to 21 feet and recommended tying the retaining wall into bedrock so it would not be affected by the surficial processes driving the slide. Those conditions are not expected to have changed. A new geotechnical analysis will be completed as part of the next phase of the project; it was and is part of the scope of work for the grant. The final design will be based on that new, updated report. No new impacts were identified that are not already addressed in the draft initial study and negative declaration.

Comment H.2: Discussion of the project is inconsistent between different sections in the CEQA document. (No specifics were provided.)

Response H.2: No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed. However, see Response D.1 for a response to more detailed comments regarding inconsistencies in the project description.

Comment H.3: The existing storm drain that is located within the trail failure area could exacerbate erosion and instability. The CEQA document should discuss the current condition of and any improvements that are proposed for the storm drain.

Response H.3: The City has investigated the integrity of this storm drain. There is no evidence that it is currently leaking or failed or otherwise compromised. However, the storm drain and other utilities (water, cable, phone) are an important component of this project. Regardless of what happens with the trail, this storm drain pipe cannot be moved very far from its current location because it functions via gravity. And it cannot be discharged on or near the bluff due to the potential for creating erosion and instability. It is currently at a high risk of damage from continued slope movement. The water line is an important component of the water system to serve hydrants on lower Van Wycke and to maintain water pressure in that area. It has had to be closed off due to the potential for it to rupture because of the ongoing slope movement, which has had a negative impact on the City's water system. Therefore, the project includes

reconstruction of the storm drain and other utilities as part of the trail repair. These utilities will be incorporated into the new trail design, and placed underground as they are now. Although not described in the project description in the initial study because the final design has not been completed, the initial study does acknowledge that these utilities will be replaced as part of the project. The project description has been amended to clarify that the existing utilities will be incorporated into the trail repair. No evidence was provided that the project will have significant impacts.

Comment H.4: If all work can't be done within the City right-of-way, the CEQA document needs to further analyze the impacts of completing the project on private property.

Response H.4: As described in the initial study, at this point, it is unknown whether all work will occur within the City right-of-way. Any work on private property would be voluntary on the part of the property owner(s). The grant includes some money to purchase property or easement in order to move the trail upslope to the extent possible. The physical, environmental impacts of the project will not change depending on whether the project occurs on private property or public property. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment I

From: Leslie Farrar

Date: February 20, 2019

Comment I.1: Only the trail should be improved; the other changes are overkill and would change the character of the community. How did the project go from 'repair Van Wycke Trail' to the "Van Wycke Bicycle and Pedestrian Connectivity Project"?

Response I.1: Some additional background for the project has been provided in a memo to the Planning Commission. However, this comment is not related to any environmental impacts resulting from the project. No change to the CEQA document is needed.

Comment I.2: The project will cause aesthetic impacts. A comparison to Central Avenue in McKinleyville is made.

Response I.2: The project will have aesthetic impacts, though the exact impact is unknown at this time, because the final design has not been completed. Initial, conceptual renderings do not indicate a significant impact. As described in the aesthetics section of the initial study, the City has robust design review and view protections findings that will need to be made as part of the approving the Coastal

Development Permit for this project. In addition, Mitigation #1 requires submittal of a planting plan to screen the new retaining wall. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment I.3: The project is overaggressive for a small, rural community. The project should be designed to enhance the natural beauty and quality of Trinidad.

Response I.3: This comment is not related to any environmental impacts resulting from the project. No change to the CEQA document is needed. The next phase of the project includes public outreach to help inform the final design.

Comment J

From: Alan Grau

Date: February 20, 2019

Comment J.1: Same comments as Leslie.

Response J.1: See responses to comment I above.

Comment J.2: Doesn't think all the proposed improvements are necessary.

Response J.2: This comment is not related to any environmental impacts resulting from the project. No change to the CEQA document is needed. The initial study includes a statement of need for the project, which has been edited to also include a purpose.

Comment J.3: There are no renderings, pictures, etc., so it is hard to tell what the aesthetic impacts will be.

Response J.3: See Response B.1.



Tsurai Ancestral Society

P.O. Box 62

Trinidad, Ca. 95570

02/19/19

Trinidad Planning Commission

409 Trinity Street

Trinidad, CA 95570

CC: City Planner, City Manager, SHN, CalTrans

RE: Van Wycke Trail Connectivity Project

Dear Commissioners,

The Tsurai Ancestral Society opposes the acceptance of a negative declaration determination for this area as it is immediately impacting, and adjacent to, a known historical village site. As the organization representing the documented lineal descendants of Tsurai Village's inhabitants, our comments regarding this project are not being recorded. City staff is moving forward despite our long term opposition and City's violation of agreements outlined below. The Tsurai Ancestral Society requests all the years we have been opposing this project, and the agreement reached previously, to be documented in order to make the City's Staff Report accurate.

The City of Trinidad filed a declaratory relief complaint against the Tsurai Ancestral Society (along with other defendants) late last year (see attached). In that complaint, the City is asking the court to rule on many issues, one being the City's obligations (if any) to protect the Tsurai Study Area, as it is both culturally and environmentally sensitive for the Tsurai village descendants and community as this is part of the town's history (and registered historic landmark).

The Tsurai Ancestral Society, therefore, recommends the Trinidad Planning Commission not move forward with the Van Wycke Trail Connectivity Project as the Tsurai think this matter is directly tied to the declaratory relief action that is yet undecided. The Tsurai Ancestral Society has been opposed to this project, in all its many forms, since 2000, and thinks the current version of the project will have a significant, irreversible damage to the Tsurai village's cultural resources and natural landscapes.

Absent a decision by the court, which the City has asked for, the City Planning Commission is unaware of the legal repercussions that may ensue with the approval of this project. A Judge may find the first consideration the Commission needs to make, is the protection of the Village as per the transfer agreement outlined in the deed to the Tsurai Study Area.

Furthermore, the Van Wycke Trail is not a primary trail, and a past agreement was made between the City, Tsurai Ancestral Society, California Coastal Conservancy and Yurok Tribe that developed and implemented an alternative route to this trail which was completed in the early 2000's. The City is violating that agreement by developing and pursuing this project. This has been brought to the attention of Dan Berman, City Manager, Council members Jim Baker, Jack West and Dwight Miller since Dan began working on the project shortly after he was hired. None of this is in the Staff Report, making the investigation portion of this project inaccurate.

Please send a copy of the updated Staff Report to the Tsurai Ancestral Society c/o Sarah Lindgren-Akana at the address listed below. If you have any questions, please feel free to contact us.

Sincerely,

Sarah Lindgren-Akana

Tsurai Ancestral Society Secretary

1192 Anderson Lane

Arcata, CA 95521

1 Andrew J. Stunich #197698
2 2701 Harrison Ave., Suite 1
3 Eureka, CA 95501
4 Telephone: (707) 442-2927
5 Fax No.: (707) 443-2747

6 City Attorney for Plaintiff
7 City of Trinidad

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P. **FILED**

AGT 04 2018

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF HUMBOLDT

CITY OF TRINIDAD

Case No.

DR180684

Plaintiff

COMPLAINT FOR DECLARATORY
RELIEF

vs

TSURAI ANCESTRAL SOCIETY, YUOK
TRIBE, CALIFORNIA STATE COASTAL
CONSERVANCY, TRINIDAD RANCHERIA
and Does 1-10,

Defendants.

GENERAL ALLEGATIONS

1. Plaintiff, City of Trinidad, is an incorporated California City of less than 400 people and the owner of record of an approximately 12.5-12.6 acre parcel of land known as the Tsurai Study Area (TSA) and signatory to two agreements potentially affecting the ownership and management of the TSA. The first agreement is attached hereto as Exhibit A and is referred to herein as the Frame Settlement Agreement (FSA). The second agreement is attached hereto, in relevant part, as Exhibit B and is referred to herein as the Tsurai Management Plan (TMP). The TMP is very long - over two hundred pages- but much of the language is historical background and other material unrelated to resolving the disputes described herein and those pages have been omitted from Exhibit B for ease of review and filing. The full document is available for review on the plaintiff's website.

2. Plaintiff is informed and believes and thereon alleges that defendant Tsurai Ancestral Society (TAS) is an association of members of lineal descendants of indigenous people that once inhabited

1 the TSA. The TAS is a signatory to Exhibits A and B.

2 3. Plaintiff is informed and believes and thereon alleges that defendant Yurok Tribe is a federally
3 recognized Tribe. The Yurok Tribe is a signatory to Exhibit B but not Exhibit A.

4 4. Plaintiff is informed and believes and thereon alleges that defendant California Coastal
5 Conservancy (Conservancy) is a California State Agency. The City of Trinidad received title to the
6 TSA from the Conservancy which retained the easements described in Exhibit C hereto. The
7 Conservancy is also a signatory to Exhibits A and B.

8 5. Plaintiff is informed and believes and thereon alleges that defendant Trinidad Rancheria is a
9 federally recognized tribe located near the City of Trinidad, California. The Trinidad Rancheria is
10 not a signatory to Exhibits A or B but is recognized as a stakeholder as defined in the TMP (Exhibit
11 B). The Trinidad Rancheria claims a right to participate in Tsurai Management Team (TMT)
12 meetings described in Exhibit B and to have a voice in decisions concerning the TSA. Some and
13 perhaps all of the defendants dispute the Trinidad Rancheria's claims. Plaintiff believes, at a
14 minimum, that the Trinidad Rancheria should be allowed to participate in TMT meetings. The
15 Rancheria also claims a right to the TSA should it be transferred to the TSA and/or Yurok Tribe, and
16 the other defendants dispute that claim.

17 6. Plaintiff is ignorant of the true names and capacities of defendants sued herein as DOES I through
18 10, inclusive, and therefore sues these defendants by such fictitious names. Plaintiff will amend this
19 complaint to allege their true names and capacities when ascertained.

20 **FIRST CAUSE OF ACTION - Declaratory Relief (C.C.P. § 1060)**

21 (By Plaintiff Against All Defendants)

22 7. Plaintiff incorporates herein by reference the allegations of paragraphs 1-6 as if set forth herein.

23 8. An actual dispute has arisen between and among the parties as to plaintiff's obligation, if any, to
24 meet in private as part of the Tsurai Management Team (TMT) described in Exhibit B and as to
25 whether the other stakeholders, including but not limited to the Trinidad Rancheria, described in
26 Exhibit B can be excluded from TMT meetings. Plaintiff takes its obligation under the Brown Act
27 seriously and does not want to conduct TMT meetings in private as it precludes City Council
28 members from freely attending and it excludes the public and Trinidad Rancheria, described as

1 stakeholders in the TMP from attending and participating in decisions affecting publicly owned City
2 of Trinidad land - the TSA.

3 9. An actual dispute has arisen between and among the parties as to plaintiff's obligation, if any, to
4 transfer ownership of the TSA to any particular defendant or group of defendants and the terms, if
5 any of such a transfer and whether the plaintiff can, alternatively, transfer the TSA to a third party.

6 10. An actual dispute has arisen between and among the parties as to plaintiff's rights, if any, to
7 maintain the TSA, post signs, and to make any needed repairs or improvements to the TSA absent
8 unanimous agreement from the defendants.

9 11. At least one defendant claims plaintiff has an obligation to protect the TSA from harm or trespass
10 by third parties and that plaintiff is liable for damages if it fails to do so, which plaintiff disputes.

11 12. There is a dispute between and among plaintiff and some or all of the defendants as to the actual
12 boundaries of the TSA. Plaintiff has obtained a licensed survey showing the actual boundaries and
13 shared that survey with defendants but some or all of the defendants continue to dispute the
14 boundaries of the TSA.

15 13. Before filing suit, plaintiff has tried to reach agreement on the issues of dispute with the
16 defendants and has been unable to do so.

17 14. An actual controversy has arisen and now exists between plaintiff and defendants concerning
18 their respective rights and duties in the TSA pursuant to Exhibits A and B and the City of Trinidad's
19 Policy 69 attached hereto as Exhibit D. Plaintiff desires a judicial determination of its rights and
20 duties under Exhibits A and B and a declaration as to its obligation, if any, to meet with defendants
21 in private concerning Exhibit B.

22 15. A judicial declaration is necessary and appropriate at this time under the circumstances in order
23 that plaintiff may ascertain its rights and duties in the matters set forth herein. The current state of
24 affairs has raised great concerns with plaintiff's City Council as to its rights and obligations under
25 Exhibit B and has hindered the management of the TSA.

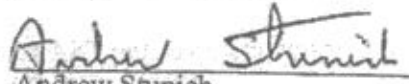
26 WHEREFORE, plaintiff prays judgment against defendants and each of them, as follows:

27 1. For a declaration of plaintiff's rights and obligations, if any, under Exhibit B and a declaration
28 establishing the boundaries of the TSA and the validity of plaintiff's survey of the TSA;

1 2. For costs of suit incurred herein; and

2 3. For such other and further relief as the Court may deem proper.

3 Dated: September 17, 2018.

4 
5 Andrew Stunich
6 Attorneys for Plaintiff
7 City of Trinidad
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Dear Trinidad Planning Commissioners:

After reviewing the City of Trinidad's draft CEQA document regarding the Van Wycke Trail project, I have the following concerns:

Lack of Conceptual Images: There are no conceptual images showing what the proposed project would look like once constructed. The only images provided show a benign, rust-colored railing on top of the bluff. These images are completely inadequate for assessing the visual/aesthetic impacts of the retaining wall, including the removal of soil and vegetation and construction of a 7-foot wide, thoroughfare-style trail.

Lack of Specifics: The CEQA document does not provide specifics on the dimensions of the retaining wall, the exact amount of soil and vegetation that would be removed, the depth of the retaining wall and how high the wall would extend above the excavated slope. Varying lengths—from 50 to 150 feet—are mentioned for the retaining wall; approximations are given for vegetation removal (10,000 sq.ft.) and soil removal (500 cubic feet); and an estimation is provided that the drilled piers would extend approximately 30 feet into the ground but may go deeper to resist the impacts of earthquakes. The document also states that *"The new retaining wall will be the most visually obtrusive improvement. It is unknown at this time how much of the wall will be above the excavated slope and visible, but it will likely be around 6 to 8 ft. in height at most."* Again, because there are no conceptual images and a lack of specifics, it is difficult to assess the true impacts of this proposed project.

Contradictory Statements Re: Zoning: On page 1, under Zoning/General Plan Designation, it says *"The project site is within the Edwards and Van Wycke Steets City rights-of-way, which have no zoning or general plan designation."* However, on page 2, under Surrounding Land Uses and Setting, it says *"many of the improvements will also be located on or near the edges of coastal bluffs. . ."* From my interpretation of the maps, the bluff along the Van Wycke Trail, where construction activities would take place, is designated as Open Space, which means there are special protections afforded this zone to preserve the landforms and natural and scenic character of the area, including important wildlife habitat.

Inadequate Mitigation Measures: Throughout the CEQA document, claims are made that the project will have no significant impacts or, if there are significant impacts, that they can be properly mitigated. For example, there is a discussion about planting native plants where vegetation would be removed. This is not an adequate mitigation measure, because native coastal scrub habitat (recognized as an ESHA) is already growing in the project area. Furthermore, this existing coastal scrub vegetation is mature and well-established, which helps protect the bluff from erosion and run-off and hinder the spread of invasive plants. Once the existing native vegetation is removed, and the soil is disturbed and opened to sunlight, it is likely invasive plants such as Pampas grass, Scotch broom, Himalaya blackberries, English ivy, etc., will move into this newly disturbed area. Even if native plants are planted or grass seed is sowed, it is unlikely the slower-growing, less aggressive native plants can effectively compete against the aggressive, fast-growing invasive plants. Unless there is a rigorous monitoring and care program to insure the newly planted vegetation survives and thrives, it is likely the disturbed bluff will be overrun by invasive plants. Therefore, the mitigation measure planned for the vegetation removal aspect of this project is inadequate, because it will not offset the damage that would be done to the site. Furthermore, because it takes time for newly planted vegetation to become established, the bluff will be more vulnerable to erosion during this time, because smaller, less-established vegetation

does not have the substantial root systems and leaf coverage of the more established vegetation that protects the ground from the erosive forces of rain and run-off.

Lack of Alternatives Discussions: In addition to inadequate mitigation measures, the CEQA document lacks any discussion about alternatives to the retaining wall design, such as a "no project" or "relocation" alternative. A few years ago, several property owners that live above the proposed project site, on Edwards Street, told Trinidad officials they would be willing to grant an easement across their properties if the City would give them permission to cut down the Alder trees on the bluff that were blocking their views. (Note: this is the same bluff where the retaining wall is proposed.) Well, several months ago the Alders were cut down to restore views. For this reason, it seems the time is right for City officials to talk to these property owners about securing an easement across their properties so that the hiking trail can be re-routed upslope, away from the blufftop/edge. Because the properties are long and narrow, there is plenty of room for a pedestrian trail; thus, removing the need to construct a large retaining wall and 7-foot wide, thoroughfare-style trail.

Contradictory Statements on Special Status Species: On page 23, under Setting, it says "Five special status species were determined to have a moderate or high potential occurrence within the immediate vicinity of the project area". Then it goes on to say "Due to a lack of suitable habitat, the project is not likely to adversely affect these special status species or their habitats." And further down, it says "The habitat types present in the project area are suitable for supporting foraging birds and other wildlife though not ideal for nesting." Each and every impact or protection afforded to this ESHA/bluff environment and the habitat it supports is dismissed or minimized to allow approval of this intrusive, damaging project. Two field visits (in April and July 2018) by a biologist/botanist are not sufficient to make the determination that the area is not ideal for nesting or that the project will not adversely impact habitat for special status species. One of the former owners of the Fulkerson property told me she saw Great Horned Owls in the Cypress trees, heard some types of owls perched at night in the trees on the bluff, and saw all types of birds using the trees in and around the proposed project site. As a frequent hiker of the Van Wycke Trail while living in Trinidad, I also saw all sorts of bird activity in the trees and shrubs along that bluff, including a couple of Western blue birds, which was a beautiful sight. The intrusive nature of this project (especially the square footage of vegetation removal) would permanently alter the bluff environment for the special status species (and other critters) that may use the area for foraging and nesting purposes. Because there are few trees in Trinidad anymore and many more are slated for removal (i.e., the pines on the east side of the Fulkerson property), protecting the last remnants of coastal scrub/ESHA vegetation is important, because suitable habitat for birds and other wildlife is disappearing quickly.

Policy 5 of Trinidad General Plan: On page 55, the CEQA document refers to Policy 5 of the Trinidad General Plan which says "Where access trails must traverse steep slopes they should be located away from unstable areas and improvements should be provided to minimize erosion and slope failures. Existing trails which are creating these problems should either be improved or closed." The response to Policy 5 is "The proposed retaining wall will be designed to minimize erosion and slope failure." Regardless of the design of the retaining wall, the intrusive nature of the construction activities will cause tremendous damage and further destabilize the bluff. The best way to protect the bluff is to avoid more disturbance and development and move the trail upslope, away from the bluff's edge.

Geology and Soils: One of the most dubious claims in the CEQA document is that there would be a "Less Than Significant Impact" on the stability of the bluff (see page 33). No matter how you slice and dice it,

bringing in heavy equipment (a drill rig truck, horizontal boring hydraulic jack, front end loader or backhoe and an excavator), removing approximately 500 cubic yards of soil and 10,000 sq.ft. of vegetation, and building an approximately 150-foot long retaining wall will significantly alter this landform and exacerbate bluff instability. In addition, armoring the bluff with a retaining wall will interfere with the natural processes of bluff erosion that replenish the materials on the beach. This may lead to loss of beach area and increase wave action against the toe of the bluff, causing further erosion and bluff instability. In addition, I do not feel the CEQA document effectively evaluated the impacts that armoring has on the beach, itself.

CEQA Requirements: Due to a lack of discussion about alternatives and insufficient mitigation measures, it is my opinion that approval of this project would violate Public Resource Code Section 21080.5(d)(2)(A) of CEQA, which prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would significantly lessen any significant effect that the activity may have on the environment. Again, the feasible alternative to the proposed retaining wall/armoring project is to acquire easements from adjacent property owners and move the trail upslope, away from the bluff's edge. This maintains public access to the coast and protects the bluff from unnecessary, disruptive development.

Cumulative Impacts: In addition to the proposed Van Wycke Trail retaining wall, the City is also considering construction of a large retaining wall at the base of Edwards Street (west of the former Trinidad Memorial Lighthouse site). Construction of two large retaining walls on Trinidad's fragile coastal bluffs would drastically alter the natural landforms and degrade the scenic/aesthetic values of this part of California's coastline. Since coastal armoring is not a common site along North Coast beaches and bluffs, I am concerned that approval of the Van Wycke Trail retaining wall (and, potentially, an Edwards Street retaining wall) would set a dangerous precedent for armoring other coastal bluffs in Humboldt County.

Because of the above-stated impacts, it is my opinion that approval of this proposed project would violate the following sections of the Coastal Act:

1. Section 30240, which states *"(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) Development in areas adjacent to environmentally sensitive habitat areas ... shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreational areas."*
2. Section 30251, which states *"The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of the surrounding areas."*
3. Section 30253(2), which states *"New development shall ... neither create or contribute significantly to erosion, geologic instability or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs."*

My public comments are submitted, respectfully, with a request that the City of Trinidad set aside the plans for this highly intrusive and damaging project and, instead, enter discussions with the adjacent

property owners about acquiring/purchasing easements to allow the trail to be moved upslope and away from the fragile edge of the bluff.

Sincerely,

Kimberly Tays

California Coastal Advocate



Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Kate Gordon
Director

March 1, 2019

RECEIVED

Becky Price-Hall
City of Trinidad
P.O. Box 390
Trinidad, CA 95570

MAR 04 '19

CITY OF TRINIDAD

Subject: Van Wycke Bicycle and Pedestrian Connectivity Project
SCH#: 2019012051

Dear Becky Price-Hall:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 28, 2019, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2019012051
Project Title Van Wycke Bicycle and Pedestrian Connectivity Project
Lead Agency Trinidad, City of

Type MND Mitigated Negative Declaration

Description The Van Wycke Bicycle and Pedestrian Connectivity Project involves several improvements within the project area to improve both pedestrian and bicycle travel connectivity within the City of Trinidad. Improvements include installation of new curbs, sidewalks and crosswalks, a 5' paved bike lane in the uphill direction of Edwards Street (south side) and sharrows in the downhill direction, and construction of a 5' wide gravel pedestrian trail where the existing Van Wycke St trail is failing; repair of the trail requires construction of a new retaining wall. Other improvements include split-rail fencing, striping, detectable warning surfaces and directional and interpretive signs.

Lead Agency Contact

| | | |
|----------------|------------------|----------------------------------|
| Name | Becky Price-Hall | |
| Agency | City of Trinidad | |
| Phone | 707-499-6454 | Fax |
| email | | |
| Address | P.O. Box 390 | |
| City | Trinidad | State CA Zip 95570 |

Project Location

| | | | | |
|----------------------|--------------------------------|--------------|----|-----------------------------------|
| County | Humboldt | | | |
| City | Trinidad | | | |
| Region | | | | |
| Lat / Long | 41° 03' 28" N / 124° 08' 45" W | | | |
| Cross Streets | Edwards and Van Wycke St ROW | | | |
| Parcel No. | N/A | | | |
| Township | 8N | Range | 1W | Section 15 Base HBM |

Proximity to:

| | |
|------------------|---|
| Highways | 101 |
| Airports | |
| Railways | |
| Waterways | Mill Creek, Parker Crk, Trinidad Head ASBS |
| Schools | Trinidad ES |
| Land Use | N/A (ROW); may encroach onto lands designed urban residential or OS |

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Cumulative Effects; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 1E; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 1; Regional Water Quality Control Board, Region 1; State Water Resources Control Board, Division of Drinking Water; Air Resources Board, Transportation Projects; Native American Heritage Commission; State Lands Commission

| | | | | | |
|----------------------|------------|------------------------|------------|----------------------|------------|
| Date Received | 01/30/2019 | Start of Review | 01/30/2019 | End of Review | 02/28/2019 |
|----------------------|------------|------------------------|------------|----------------------|------------|

NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>
Twitter: @CA_NAHC



February 4, 2019

Becky Price-Hall
City of Trinidad
P. O. Box 390
Trinidad, CA 95570

Also sent via e-mail: rpricehall@trinidad.ca.gov

RE: SCH# 2019012051, Van Wycke Bicycle and Pedestrian Connectivity Project, City of Trinidad, Humboldt County

Dear Ms. Price-Hall:

The Native American Heritage Commission (NAHC) has reviewed the Mitigated Negative Declaration prepared for the above referenced project. The review included the Initial Study / Project Description; and the Environmental Checklist, section 5, Cultural Resources, and section 17, Tribal Cultural Resources prepared by the City of Trinidad. We have the following concern(s):

1. The process for naming a Most Likely Descendant (MLD) in the Mitigation Measures in the Cultural Resources section (referenced in the Tribal Cultural Resources section) is incomplete. Health and Safety Code § 7050.5 and Public Resources Code § 5097.98 outline a specific process for the inadvertent finds of human remains. Notification of the tribe determined to be the MLD for the project will be done by the NAHC.

Agencies should be aware that AB 52 does not preclude them from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

If you have any questions, please contact me at my email address: gayle.totton@nahc.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads "Gayle Totton".

Gayle Totton, B.S., M.A., Ph. D
Associate Governmental Program Analyst

Attachment
cc: State Clearinghouse

The California Environmental Quality Act (CEQA)¹, specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.² If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.³ In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).⁴ **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** AB 52 created a separate category for "tribal cultural resources"⁵, that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment."⁶ Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁷ Your project may also be subject to **Senate Bill 18 (SB 18)** (Burton, Chapter 905, Statutes of 2004), Government Code §65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. **Both SB 18 and AB 52 have tribal consultation requirements.** Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966⁸ may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Pertinent Statutory Information:

Under AB 52:

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.⁹ and **prior to the release of a negative declaration, mitigated negative declaration or environmental impact report.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18)."¹⁰

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects.¹¹
1. The following topics are discretionary topics of consultation:
- a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹²

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process **shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10.** Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³

If a project may have a significant impact on a tribal cultural resource, **the lead agency's environmental document shall discuss both of the following:**

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.

¹ Pub. Resources Code § 21000 et seq.

² Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)

³ Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1); CEQA Guidelines § 15064 (a)(1)

⁴ Government Code 65352.3

⁵ Pub. Resources Code § 21074

⁶ Pub. Resources Code § 21084.2

⁷ Pub. Resources Code § 21084.3 (a)

⁸ 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

⁹ Pub. Resources Code § 21080.3.1, subds. (d) and (e)

¹⁰ Pub. Resources Code § 21080.3.1 (b)

¹¹ Pub. Resources Code § 21080.3.2 (a)

¹² Pub. Resources Code § 21080.3.2 (a)

¹³ Pub. Resources Code § 21082.3 (c)(1)

- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 **shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program**, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, **the lead agency shall consider feasible mitigation** pursuant to Public Resources Code §21084.3 (b).¹⁷ An environmental impact report **may not be certified**, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸

This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code §65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described §5097.9 and §5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code §65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Public Resources Code §5097.9 and §5097.993.

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.**¹⁹
- **There is no Statutory Time Limit on Tribal Consultation under the law.**
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction.²¹
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
 - o The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - o Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²²

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:

¹⁴ Pub. Resources Code § 21082.3 (b)

¹⁵ Pub. Resources Code § 21080.3.2 (b)

¹⁶ Pub. Resources Code § 21082.3 (a)

¹⁷ Pub. Resources Code § 21082.3 (e)

¹⁸ Pub. Resources Code § 21082.3 (d)

¹⁹ (Gov. Code § 65352.3 (a)(2)).

²⁰ pursuant to Gov. Code section 65040.2,

²¹ (Gov. Code § 65352.3 (b)).

²² (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

- A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
- A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
 - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1066) for an archaeological records search. The records search will determine:
 - If part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have been already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³
- Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

²³ (Civ. Code § 815.3 (c)).

²⁴ (Pub. Resources Code § 5097.991).

²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

FW: SCH# 2019012051 Van Wycke Bicycle and Pedestrian Connectivity Project

Rebecca Price-Hall

Mon 2/4/2019 1:16 PM

To: Trever Parker <tparker@shn-engr.com>;

1 attachments (174 KB)

MNDReview SCH2019012051 VanWycke-CiTrinidad-PriceHall 2-4-19.pdf;

Hi Trever,

Here is a comment letter we received.

Becky Price-Hall
Grant & Project Coordinator
City of Trinidad
P. O. Box 390
463 Trinity Street
Trinidad, CA 95570
(707) 499-6454

From: Totton, Gayle@NAHC [mailto:Gayle.Totton@nahc.ca.gov]
Sent: Monday, February 04, 2019 9:55 AM
To: rpricehall@trinidad.ca.gov
Subject: SCH# 2019012051 Van Wycke Bicycle and Pedestrian Connectivity Project

Good morning Ms. Price-Hall,

Please find attached our comment letter on the above referenced project. First let me say that I was very pleased with the City's due diligence in consulting with tribes who are traditionally and culturally affiliated with the project area. Your mitigated negative declaration includes extensive documentation of your efforts and the information you incorporated into mitigation measures after tribal input. This is an excellent example of how consultation can work.

My comment is only a procedural one. I noted that when human remains are found, the City is charged with contacting the tribes. While this provision is great when cultural items are found, our past experiences have shown that if the tribes are notified before we name an MLD, that can be problematic. If your experience with these specific tribes differs, then the provision can stand as is.

The City can simply provide us with a letter telling us how you have decided to move forward, either making a change in the language or leaving it the same with the reasons why that decision was made.

Please let me know if you have any questions.

Sincerely,

Gayle Totton, M.A., Ph.D.
Associate Governmental Program Analyst
Native American Heritage Commission
(916) 373-3714

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET • SUITE 130
ARCATA, CA 95521
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March 8, 2019

Trever Parker, Planner
City of Trinidad, Planning Dept.
P.O. Box 390
Trinidad, CA 95570

SUBJECT: Preliminary (Pre-CDP Application) Comments for Proposed Bicycle and Pedestrian Connectivity Project, within Edwards Street and Van Wycke Streets City Rights-of-Way, Trinidad (SCH #2019012051)

Dear Trevor:

Thank you for providing to our office the "Notice of Availability of a Draft Initial Study/Mitigated Negative Declaration and Intent to Adopt a Mitigated Negative Declaration," which our office received on January 28, 2019. We understand from the notice that the City of Trinidad proposes to repair, restore, and expand approximately 200 feet of the currently closed Van Wycke Trail, and to extend trail development through portions of Trinidad where gaps in non-motorized routes currently exist. The proposed project would also include a number of other accessway improvements within the town, such as installation of new curbs, sidewalks, and crosswalks, paved bike lanes, fencing, striping, detectable warning surfaces, and directional and interpretive signs.

The City's draft Initial Study/Mitigated Negative Declaration (IS/MND) describes the project purpose in part as follows: "The purpose of the project is [to] increase connectivity within the community for pedestrian and bicycle traffic."¹ The City also describes the need for the project in several ways, including to: (1) stabilize the Van Wycke Trail, which connects the upper and lower portions of Van Wycke Street; and (2) reconfigure the walkway and parking area at Edwards Street near the former site of the Trinidad Memorial Lighthouse following recent landslide activity.

We understand that the formal review period set by the Trinidad Planning Department ended February 28, 2019, but that the City will continue to accept comments into the record until the Planning Commission considers adoption of the document, which is anticipated to occur around March 20. As indicated in our email to you on February 28, we were unable to submit comments during the formal review period, but we offer the following preliminary Commission staff comments now for your consideration.

As the initial study correctly indicates, all repairs and improvements envisioned by the project as currently proposed would constitute development requiring a coastal development permit, among other permit requirements. The project would occur within Trinidad's delegated jurisdictional area for coastal development permit authority, and any local action approving this project would be appealable to the Coastal Commission

¹ Page 54, Initial Study Public Review Draft, January 2019

because all or a portion of the project is located between the first public road and the sea and within 300 feet of the top of the seaward face of a coastal bluff. In addition, any action by the City to either approve or deny a CDP for the project would also be appealable to the Commission on the basis that the proposed project qualifies as a major public works facility.² The standard of review for the project as currently proposed will be whether the development is consistent with the policies of the City of Trinidad's certified LCP, and (because part of the project is located between the first public road and the sea) the public access policies of the Coastal Act.

As discussed further below, depending upon the final project alternative selected, the project may trigger the need for an amendment to the LCP, in which case the standard of review for any changes to the certified Land Use Plan (LUP) would be whether the LUP as amended is internally consistent and conforms with the Coastal Act. The standard of review for any proposed zoning change would be whether the zoning ordinances, zoning district maps, or other implementing actions conform with, and are adequate to carry out, the provisions of the certified land use plan.

A. Clarification of Project Details

The Initial Study contains discrepancies and conflicting information regarding the proposed scope of work, and these discrepancies should be corrected and clarified. For example, page 6 states in part "This project proposes to stabilize a 200 foot segment of failing trail, by constructing an approximately 150-foot long retaining structure, and upgrading the trail to a 5-foot wide trail with 1-foot shoulders." However, page 8 states in part "As currently proposed, the retaining wall system will be approximately 50' to 100' in length," and page 10 similarly describes proposed construction of "50 to 100 feet of retaining wall."

Additionally, the graphic that depicts proposed project components appears outdated, and does not label all features depicted on the exhibit. Specifically, Figure 2a included with the Initial Study attachments is labeled "Van Wycke Bicycle and Pedestrian [*sic*] Connectivity Project Proposed Scope Change" and depicts interpretive signage, the Trinidad Memorial Lighthouse at its former location, and a newly-proposed 5.5-foot-wide walkway "connecting to [an] existing walkway" that no longer exists at the site due to landslide activity that occurred in recent years. The aerial image used in the graphic is undated, but also depicts walkways that no longer exist near the former lighthouse site. The graphic also contains symbology but without any legend describing the symbology.

The IS/MND also indicates in part that "The project is located mostly within existing right-of-way³..." Figure 3 ("Zoning & Project Parcels") included with the Initial Study attachments depict the location of the "Study Area," but it is unclear from the exhibit whether development will occur within the full mapped extent of the Study Area. For the purposes of evaluating consistency of the project with the policies of the certified LCP, it will be important to accurately depict the full extent of all proposed developments as an overlay on the zoning map to establish whether proposed development would also occur within the adjacent Open Space and/or Urban Residential Districts.¹

² Coastal Act Section 30603

³ Pages 60, Initial Study Public Review Draft, January 2019

Therefore, to clarify the scope of the proposed developments, we recommend that the City clarify and revise the project descriptions and supporting documentation accordingly.

B. Hazard Areas

The subject property is situated in an area subject to significant exposure to geologic hazards including strong earthquake shaking, landslides, and erosion. As indicated in the Initial Study, the project site is also primarily within or adjacent to areas that are designated as being "unstable," and with some areas designated "questionable stability" on Plate 3 of the Trinidad General Plan.

The current project proposes to rebuild and enlarge to 7 feet (5-foot-wide plus two, 1-foot-wide shoulders) a portion of Van Wycke trail that has eroded from landslide activity in recent years. As currently proposed, the trail improvements would rely on developing the bluff with an approximately 150-foot-long soldier pile retaining wall. The site of proposed development has been especially geologically active in the past two years, with active landslides forcing the closure of Van Wycke Trail and prompting emergency relocation of the Trinidad Memorial Lighthouse from its former site at Edwards Street near Trinity Street. Despite the recent landslide activity, the IS/MND concludes that the proposed project would have a less than significant impact on soil erosion or loss of topsoil, and would not site any development on geologically unstable areas⁴.

IS/MND Findings

We are concerned that the IS/MND does not adequately evaluate current site conditions to factually support its findings and instead relies on geotechnical studies that are more than nine years old. In particular, the Draft Initial Study/MND relies on geotechnical studies and feasibility analyses conducted in 2011 prior to the recent landslide activity to support a recommendation for constructing a retaining wall that would stabilize the Van Wycke Trail site, as being "...the most economic, long-term solution other than, and in conjunction with, moving the trail as far upslope as possible." The 2011 geotechnical study prepared by Busch Geotechnical acknowledges that the study was only conducted at the "feasibility level" and did not quantitatively evaluate slope stability or evaluate "the probable increase in the base-of-bluff erosion rate due to the global rise of sea level and the associated increased storm intensity due to the warming of the oceans⁵."

The geologic findings also present conflicting information regarding the basis for determining that development would not be sited on geologically unstable areas, stating on the one hand that the project *has been* designed to increase stability⁶; while also stating the project will be designed *in the future* to increase stability⁷. The IS/MND

⁴ Pages 33-39, Initial Study Public Review Draft, January 2019

⁵ January 15, 2011. "Slope Instability along Part of the Van Wycke Trail, Trinidad CA." Prepared by Busch Geotechnical Consultants.

⁶ Page 36, Initial Study Public Review Draft, January 2019 states in part "The retaining wall is designed to stabilize the Van Wycke Trail in a location that has been damaged by landslide activity..."

⁷ Page 36, Initial Study Public Review Draft, January 2019 states in part "All applicable findings and recommendations of the existing and future geotechnical reports will be incorporated into the final design of the project as appropriate. However, because the final design may not be a soldier pile wall, existing recommendations have not been incorporated as mitigation measures at this time."

findings additionally indicate that the proposed project will not result in substantial soil erosion or the loss of topsoil⁸, while also indicating that the project could result in up to 10,000 square feet of vegetation removal (including but not limited to the environmentally sensitive coastal bramble natural community) and 500 cubic yards of topsoil removal⁹. The IS/MND further states that the City Engineer will make findings as part of the *future* grading permit process that "the proposed grading will not adversely affect the drainage or lateral support of other properties in the area, and will not be detrimental to the public health, safety or the general welfare, and is not in conflict with the provisions of the grading ordinance, zoning ordinance, and the general plan..."¹⁰, but does not demonstrate as part of the current determination how the project has been designed to avoid adverse impacts on soil erosion.

Section 30253 of the Coastal Act requires in part that new development assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area. The findings in the IS/MND lack current information about site conditions or details about the project design in support of the statements regarding geologic hazards and risk. Additionally, the findings do not demonstrate that the development would not contribute to erosion or geologic instability, or destruction of the site or surrounding area over the economic life of the project. Thus, it is unclear how the City determined in the IS/MND that the project would not occur on geologically unstable soils or that the project would result in a less than significant impact, especially given recent landslide activity in the past two years that has affected both the Van Wycke Trail and other nearby areas where access improvements are proposed.

Future CDP Application

We understand that the City will be separately processing a coastal development permit (CDP) for the proposed project in the future. As indicated above, the standard of review for the proposed project would be whether the development is consistent with the policies of the City of Trinidad's certified LCP, and (because part of the project is located between the first public road and the sea) the public access policies of the Coastal Act. The Coastal Act requires that maximum public access shall be provided, but only where consistent with protection of fragile natural resources. For example, Section 30210 of the Coastal Act requires that maximum public access shall be provided consistent with public safety needs and the need to protect natural resource areas from overuse. Section 30214 of the Coastal Act provides that the public access policies of the Coastal Act shall be implemented in a manner that takes into account the capacity of the site and the fragility of natural resources in the area. It is unclear how expanding and improving the Van Wycke trail within an active landslide area could be approved consistent with public

⁸ Page 37, Initial Study Public Review Draft, January 2019 states in part "In general, the project is designed to reduce erosion potential through construction of the retaining wall and walkways along Edwards Street, where people are currently walking along unpaved areas at the top of the bluff."

⁹ Page 8, Initial Study Public Review Draft, January 2019 states in part "Vegetation removal (up to 10,000 sq. ft.) would be required in order to construct the retaining wall. Without a final design, the amount of soil disturbance is difficult to determine. However, it is estimated that up to approximately 500 cubic yards of soil would also be disturbed."

¹⁰ Page 38, Initial Study Public Review Draft, January 2019

safety and the need to minimize geologic hazards and avoid contributing to geologic instability.

The City's certified LCP also contains a number of provisions that limit development in unstable areas. For example, the narrative contained in Chapter II of the General Plan states in part that "Unstable areas should not be disturbed by any activity that increases soil absorption of water or disturbs vegetation or soils." General Plan Policy 3 states in applicable part that "Structures"¹¹... should not be located on unstable lands. Structures...should only be permitted on lands of questionable stability, or within 100 feet upslope of unstable lands or lands of questionable stability, if analysis by a registered geologist indicates that the proposed development will not significantly increase erosion, slope instability or sewage system failure." Additionally, Policy 5 states "Where access trails must traverse steep slopes they should be located away from unstable areas and improvements should be provided to minimize erosion and slope failures. Existing trails which are creating these problems should either be improved or closed."

As part of the analysis of the future CDP application for the proposed project, the City must demonstrate, consistent with the certified LCP and public access policies of the Coastal Act, that the proposed trail improvements would be sited and designed to avoid any disturbance to vegetation or soils in unstable areas, including but not limited to avoiding development of trails, retaining walls, or other structures on or within 100 feet of unstable lands. The City's analysis should include an evaluation of the bluff retreat rate and a "quantitative slope stability analysis" to determine whether the development will be stable over the life of the project. The analysis should also take into account the influence of sea level rise on bluff erosion and retreat. As discussed further below, the City should also include an analysis of alternative trail routes and improvements that would avoid development in unstable areas.

C. Alternatives Analysis

The IS/MND "evaluates the project assuming a retaining wall"¹² will be constructed as part of the proposed improvements and expansion of the Van Wycke Trail. The IS/MND describes a number of alternative design options that were considered but dismissed¹³, including: (a) other slope stabilization options, (b) wider trail configurations, (c) shifting the trail slightly upslope and north of the failing bluff, and (d) permanently closing the portion of the Van Wycke Trail that is failing. In its consideration of trail closure, the City identified a number of reasons that trail closure would be undesirable, including but not limited to: (1) trail closure would require an amendment to Trinidad's LCP because the trail is identified in the LCP, (2) existing utilities within the trail alignment would need to be protected or relocated, and (3) trail closure does not meet the project objectives and is therefore outside of the scope of this analysis.

¹¹ The City of Trinidad certified LCP (Zoning Ordinance Appendix A) defines "Structure" as "Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground."

¹² Pages 11, Initial Study Public Review Draft, January 2019

¹³ Pages 10-11, Initial Study Public Review Draft, January 2019

Alternatives to Development in Geologically Unstable Areas

The alternatives analysis does not sufficiently evaluate the range of possible project alternatives and mitigation measures that should be considered in lieu of assuming construction of a retaining wall on a geologically unstable area. For example, while the City recognized the potential for closing the existing trail, none of the alternatives evaluates rerouting the trail to more geologically stable areas, such as but not limited to developing a dedicated, separated accessway along a portion of Edwards Street.

The IS/MND also inappropriately dismisses consideration of a number of alternatives that have already been recommended during the City's outreach efforts with tribal representatives as "not meet[ing] the project objectives" and "outside of the scope of this analysis." For example, the IS/MND describes comments received from representatives of the Yurok Tribe, including expressed concerns regarding "the sizeable impact to the landscape required to construct this section of trail on this unstable slope"¹⁴, and questions regarding the need of having the stretch of trail in the proposed location "relative to the substantial impacts to the landscape and a known area of Yurok habitation." The IS/MND also indicates that the Yurok Cultural Committee's requests for the closure of the existing trail and establishment of an alternative route along Edwards and Galindo Street to replace it are outside the scope of this project¹⁵:

Several of these requests, such as relocating existing utilities, and closing the Galindo Trail are outside the scope of this project and this environmental analysis. In addition, abandoning the failing trail and rerouting pedestrian traffic along Edwards and Galindo would not meet the project objectives and is also outside the scope of this environmental analysis, because a different process and a different set of analyses would be required, including an LCP amendment.

The IS/MND does not explain why redirecting pedestrian traffic to an alternate route would not meet the stated project purpose of increasing connectivity within the community for pedestrian and bicycle traffic. As indicated above, Section 30253 of the Coastal Act requires in part that new development assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area. It is unclear how the City could propose trail expansion and construction of a retaining wall on a geologically unstable site that has been subject to recent landslide activity without evaluating other feasible, less environmentally damaging alternatives that would also increase pedestrian and bicyclist connectivity through town.

While the Van Wycke Trail is identified as a formal trail on the Circulation Map (Plate 4) of the certified LCP, and any CDP authorizing closure of the trail would be inconsistent with the certified LCP without an LCP amendment, any CDP authorizing development on geologically unstable areas would also likely be inconsistent with the policies of the certified LCP and the public access policies of the Coastal Act as described above. Thus, rerouting the trail and adopting an LCP amendment to modify the designated trail system

¹⁴ Page 76, Initial Study Public Review Draft, January 2019

¹⁵ Page 77, Initial Study Public Review Draft, January 2019

within the City should be evaluated as part of a more comprehensive alternatives analysis.

Alternatives to Developing Shoreline Protective Devices

Coastal Act Section 30235 acknowledges that seawalls, revetments, cliff retaining walls, groins and other such structural shoreline protective devices or "hard" methods designed to forestall erosion also alter natural landforms and natural shoreline processes. Accordingly, Section 30235 limits the construction of shoreline protective works to those required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion. The Coastal Act provides these limitations because shoreline structures can have a variety of adverse impacts on coastal resources, including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach.

In considering a permit application for the placement/construction of shoreline protection, Coastal Act Section 30235 requires that shoreline protection shall be permitted only when all of the following four criteria are met: (1) the proposed shoreline and bluff protection would protect an existing structure, public beach area, or coastal dependent use; (2) the existing structure, public beach area, or coastal dependent use is in danger from erosion; (3) shoreline-altering construction is required to protect the existing threatened structure or public beach area, or to serve the coastal dependent use; and (4) the required protection is designed to eliminate or mitigate its adverse impacts on shoreline sand supply. In addition, even where all four criteria are satisfied, the Coastal Act requires that the shoreline protection structure must be located, designed, and maintained in a manner that is consistent with other applicable policies of the Coastal Act, to the maximum extent feasible.

The Coastal Act also requires such projects to be sited and designed to protect views to and along the ocean and scenic coastal areas; to eliminate or mitigate adverse impacts on local shoreline sand supply; to avoid impediments to public access; to be compatible with the continuance of sensitive habitat and recreation areas; and to prevent impacts which would degrade sensitive habitats, parks, and recreation areas.

As a result of the potential impacts arising from shoreline protective device projects, it is critical to have an alternatives analysis based upon the technical and resource data specific to the site. The analysis should include an evaluation of alternatives that would avoid construction of a retaining wall or other shoreline protective device. The City's analysis should also include one or more cross sections/profiles of the armoring area showing the relationship and elevations of the armoring material, access easement areas, beach/sand areas, and public access pathways.

Alternatives to Development in ESHA

The alternatives analysis should also evaluate alternative project designs that would avoid impacts to environmentally sensitive habitat areas (ESHAs). In particular, the IS/MND identifies the presence of "two locations of the coastal bramble (*Rubus (parviflorus, spectabilis, ursinus)*) Shrubland Alliance) vegetation community, considered ESHA by the

California Coastal Commission and protected by Coastal Act Policy 30240¹⁶." The IS/MND additionally states that "The Project may impact the coastal bramble vegetation community, a sensitive natural community, within the vicinity of the proposed retaining wall.¹⁷ Coastal Act Section 30240(a) states that environmentally sensitive habitat areas (ESHAs) shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Section 30240(b) of the Coastal Act requires that ESHAs be protected against any significant disruption of habitat values potentially resulting from adjacent development.

Therefore, as part of the analysis of potential impacts to natural resources, the City should provide an alternatives analysis that evaluates the proposed project and other potential development alternatives, including the "no project" alternative; that documents whether or not feasible alternatives exist that could avoid temporary and/or permanent impacts to ESHAs; and that demonstrates which development option is the least environmentally-damaging feasible alternative, as compared to the other alternatives. If the alternatives analysis demonstrates there are no feasible alternatives that do not encroach into ESHA or ESHA buffer areas, the City should demonstrate how the proposed development implements all feasible mitigation measures.

D. LCP Amendment

The IS/MND dismisses consideration of any potential project components that could necessitate an amendment to the LCP. However, an LCP amendment may be warranted and preferable due to Coastal Act issues raised by the project as currently proposed. Furthermore, any application to amend the LCP to allow relocation of the Van Wycke Trail could be timely because the City is currently undertaking efforts to comprehensively update its LCP, and proposed changes to formal trail designations could be included as part of the City's current LCP amendment process.

In its review of any changes to the certified Land Use Plan (LUP), the Commission would evaluate whether the LUP as amended is internally consistent and conforms with the Coastal Act. The Coastal Act requires accessways proposed in a LUP: assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area; be sited and designed to protect views to and along the ocean and scenic coastal areas; eliminate or mitigate adverse impacts on local shoreline sand supply; avoid impediments to public access; be compatible with the continuance of sensitive habitat and recreation areas; and prevent impacts which would degrade sensitive habitats, parks, and recreation areas. The standard of review for any proposed zoning change would be whether the zoning ordinances, zoning district maps, or other implementing actions conform with, and are adequate to carry out, the provisions of the certified land use plan.

The proposed improvements along Edwards Street and Van Wycke Street also appear premature in light of the City's current LCP update efforts to evaluate coastal hazards and risks and develop a coastal erosion hazard management plan within the project area. On

¹⁶ Page 23, Initial Study Public Review Draft, January 2019

¹⁷ Page 21, Biological Report, Van Wyck Bicycle and Pedestrian Connectivity Project, prepared November 2018 by SHN for the City of Trinidad

August 9, 2017 the Coastal Commission awarded the City \$51,000 covering three Tasks to support its efforts in updating its LCP consistent with the California Coastal Act, with special emphasis on planning for sea-level rise and climate change (Agreement No. LCP-17-03). The Commission's funding supports development of a Coastal Erosion Hazard Management Plan under Task 1. This Task includes an assessment of "coastal hazards and risks and development of a range of options to address those risks based on existing geologic studies with a focus on Edwards and Van Wycke Streets," with deliverables that include preparation of "draft and final Edwards Street Coastal Erosion Hazard Management Plan/Recommendations" to be completed in 2019.

E. Scenic and Visual Resources (Coastal Act Section 30251)

The IS/MND states that the project "proposes to stabilize a 200 foot segment of failing trail, by constructing an approximately 150-foot long retaining structure, and upgrading the trail to a 5-foot wide trail with 1-foot shoulders."¹⁸ The IS/MND indicates that the project site is visible from several locations, including Launcher Beach, Trinidad Bay, Trinidad Head, Scenic Drive to the south, three formal vista points designated in the Trinidad General Plan, and other vista points located throughout the area.

Section 30251 of the Coastal Act requires in part that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance, and that permitted development shall be sited and designed to: (a) protect views to and along the coast, (b) minimize the alteration of natural landforms, and (c) be visually compatible with the character of the surrounding area.

Additionally, to be consistent with the design and view protection criteria enumerated in Sections 6.19(C) and (D) of Trinidad's certified zoning ordinance, new construction in the City of Trinidad must (in part), (1) minimize the alteration of natural land forms; (2) use construction materials that reproduce natural colors and textures as closely as possible and are compatible with natural and man-made surroundings; (3) use "attractive vegetation common to the area" to integrate the man-made and natural environments, to screen or soften the visual impact of new development, and to provide diversity in developed areas; (4) include underground service connections where possible; (5) ensure the scale, bulk, orientation, and architectural character of the structure and related improvements are visually compatible with the area and designed and sited to be visually unobtrusive; and (6) protect public views to the ocean and scenic coastal areas.

The IS/MND states in part that "The new retaining wall will be the most visually obtrusive improvement"¹⁹, and that the amount of wall above the excavated slope that will be visible is unknown at this time. The City estimates that around six to eight feet of wall will be visible, but does not provide any design specifications or any visual renderings or simulations of the wall itself to support its findings that the wall would not substantially damage scenic resources or degrade the existing visual character or quality of the site and its surroundings.

¹⁸ Page 6, Initial Study Public Review Draft, January 2019

¹⁹ Page 13, Initial Study Public Review Draft, January 2019

As indicated above, the IS/MND findings additionally indicate that the proposed project will not result in substantial soil erosion or the loss of topsoil²⁰, while also indicating that the project could result in up to 10,000 square feet of vegetation removal and 500 cubic yards of topsoil removal²¹. The IS/MND relies largely on vegetation planting and invasives removal "to help screen the wall from view and soften the look of the retaining wall" and further stating "Vegetation grows quickly in this area, and it is likely that the wall will not be readily visible other than from the trail itself within a few years."²² The potential success of vegetation growth at the site is likely to be compromised by poor soils, steep topography, and the intensive coastal winds and salt spray from Trinidad Bay. Successful revegetation could take several years to a decade or more to fully achieve a height that functions as screening. Furthermore, revegetation would occur on unstable slopes subject to active landsliding that could readily dislodge any planted materials and disrupt revegetation efforts.

Therefore, the City's analysis of visual impacts should rely less on establishment of vegetative screening, and evaluate alternatives that would be less "visually obtrusive" and more compatible with the character of the surrounding area while minimizing the alteration of natural landforms. We also recommend that the City include visual simulations depicting views of the project area from various public vantage points in its environmental analysis to facilitate review of the visual effects of any retaining wall options that may continue to be considered as part of the proposed project.

E. Public Recreation and Access

As described above, the project proposes to improve and expand current accessways to increase connectivity within the community for pedestrian and bicycle traffic. The proposed improvements would expand 200 feet of Van Wycke Trail to five feet wide with two, 1-foot-wide shoulders and construction of an approximately 150-foot-long retaining wall to stabilize the trail.

Section 30210 of the Coastal Act requires that maximum public access shall be provided consistent with public safety needs and the need to protect natural resource areas from overuse. Section 30212 of the Coastal Act requires that access from the nearest public roadway to the shoreline be provided in new development projects, except where it is inconsistent with public safety, military security, or protection of fragile coastal resources, or where adequate access exists nearby. Section 30214 of the Coastal Act provides that the public access policies of the Coastal Act shall be implemented in a manner that takes into account the capacity of the site and the fragility of natural resources in the area. As stated previously, the City should address how expanding and improving the Van Wycke trail within an active landslide area could be approved consistent with public safety and the need to minimize geologic hazards and avoid

²⁰ Page 37, Initial Study Public Review Draft, January 2019 states in part "In general, the project is designed to reduce erosion potential through construction of the retaining wall and walkways along Edwards Street, where people are currently walking along unpaved areas at the top of the bluff."

²¹ Page 8, Initial Study Public Review Draft, January 2019 states in part "Vegetation removal (up to 10,000 sq. ft.) would be required in order to construct the retaining wall. Without a final design, the amount of soil disturbance is difficult to determine. However, it is estimated that up to approximately 500 cubic yards of soil would also be disturbed."


²² Page 13, Initial Study Public Review Draft, January 2019

contributing to geologic instability. The City should also evaluate alternative, less environmentally damaging feasible project designs that could afford increased bicycle and pedestrian connectivity within the community.

As part of any proposal to develop a retaining wall upslope of the shoreline, the City should also evaluate whether the proposed retaining wall could interfere with the public's use of the coastal beaches downslope of the retaining wall, especially over time with rising sea levels if sand transport. In particular, the City's analysis should evaluate the effects of the proposed retaining wall on sand transport and littoral processes, including: (1) any long-term loss of beach that could result by fixing the bluff (i.e., "passive erosion"); and (2) any effects on the amount of material that would have been supplied to the beach if the bluff were to erode naturally.

Thank you again for the opportunity to provide comments on the proposed project at this early stage in the planning process. If you have any questions, please don't hesitate to contact me at (707) 826-8950, extension 4.

Sincerely,


ROBERT S. MERRIN FOR
TAMARA L. GEDIK
Coastal Program Analyst

City of Trinidad Planning Commission
Van Wycke Bicycle and Pedestrian Connectivity Project
Public Hearing February 20, 2019

The original idea was to repair the Van Wycke trail. The title of the project does not mention the Van Wycke Trail but is Van Wycke Bicycle and Pedestrian Connectivity Project.

How did we get to this point? I do not recall from the previous meetings that the residents asked for the expansion of the project into what it is now.

How these two projects became one may have something to do with the grant from CalTrans for the trail, but it is not clear to me that the residents of Trinidad want this.

Did the grant agency require this additional project to approve funding?

How was the scope of work expanded?

Either way, I feel that the original problem with erosion on a popular trail became much more than that without full disclosure to the residents of what these changes would look like and how it would affect our community. I remember members of the community were confused by the presentation by the City Engineering firm to either the Planning Commission or City Council.

It feels to be over aggressive for our small community to have all of the changes to the current roads. One need only need to look at the town of Mendocino, which has many more visitors to their community, to see that they do not have all of the markings on the road and signage that is being recommended for Trinidad. Their town is full of pedestrians and has much more commerce than we do.

My opinion is that a project of this magnitude will continue to degrade the rural, seaside destination in a manner that is not esthetically pleasing. Painting the streets with color or even blocks of white in a material that will degrade in the elements of sun, sand and salt to eventually wash into the ocean, into the designated area of biological significance does not make sense.

Trinidad would benefit from an overall plan to inspire and aspire to reflect the natural beauty that surrounds us. I do not see how this plan will do that. There are no images to look at, but Trinidad could look like Central Avenue in McKinleyville. Do we want this? Do we think it is attractive?

Safety could be argued for necessity of such a project. I ask everyone to consider what these projects are doing to our community. Are they enhancing the natural beauty and quality of Trinidad? Does it look like a freeway going through town? Do we really think that less cars will come into town if we provide a designated bike lane? Highway 101 more dangerous to cyclists than our town of Trinidad to ride through.

Despite the recommendation of the City Planner, I do think that it is appropriate to discuss the merits of the project since this will affect the town's atmosphere and ambiance for years to come.

Thank you for the opportunity to speak tonight.

Leslie Farrar



Tsurai Ancestral Society

P.O. Box 62

Trinidad, Ca. 95570

12/16/19

Trinidad City Council

Trinidad Planning Commission

409 Trinity Street

Trinidad, CA 95570

CC: City Planner, City Manager, Rebecca Price-Hall Grant and Project Coordinator

RE: Van Wycke Trail Connectivity Project

Dear City of Trinidad,

The Tsurai Ancestral Society continues to oppose the above-named project. We have sent many letters and had several discussions regarding our opposition since the resurgence of this project with City Manager Dan Berman's hiring four years ago. We also sent a letter stating we opposed the negative declaration. While meeting minutes did not reflect our words, it did reflect the glaring absence of discussion regarding our position or the contents of our many opposition letters over the years this project has been considered.

When the City of Trinidad entered into an agreement with the Tsurai Ancestral Society some 19 years ago, to close Galindo Street Trail, and re-route foot traffic to Edwards, we agreed to letting nature take it's course with the Van Wycke Trail. We also agreed to the building of the sidewalks on Galindo as well as the boardwalk on Edwards. We upheld our end of the deal by having our cultural monitor present and not opposing the projects.

Not only has the City of Trinidad not upheld their end of that agreement, you are now in a position to move forward with going directly against your word and building in an area sure to impact cultural resources. The upcoming borings are quite deep and invasive, and we are concerned about the grandiosity of this project for a non-primary trail that is guaranteed to continue to erode into the ocean.

Other local communities, such as Arcata, are attempting to deal with climate change and rise in sea level head on. Their projects take these factors into consideration for sustainability and cost to the tax payer over the long term. However, there appears to be no such consideration coming from Trinidad, a town who will be greatly impacted by concerns such as sea level rise. As the toe of the bluff below the Van Wycke Trail continues to be reclaimed by the ocean, and the area above the Van Wycke Trail continues to over saturated, it seems like a monumental task to maintain this small secondary trail.

Given what is happening in the Tsurai Study Area (all the same concerns about sea level rise and erosion from over saturation and geological instability) if the Van Wycke Connectivity Project is in fact a sustainable, fiscally responsible way to maintain bluff stability, why is it also not being proposed for the Tsurai Study Area? If the City is able to spend over half a million dollars for a trail, why does the City not have the funds to protect the last intact pieces of Tsurai?

We recommend the Van Wycke Trail Connectivity Project be halted, and funds be directed toward the Tsurai Study Area. This dedication of funding can be given to the Tsurai Management Team to perform bluff stabilizing projects.

The Tsurai Ancestral Society further requests putting this correspondence into the record during the meeting and reflect it in the meeting minutes. Our concerns, discussions and letters have historically been left out of the minutes and City Manager's reports in regard to this project.

Sincerely,

Sarah Lindgren-Akana

Tsurai Ancestral Society Secretary

Trinidad City Clerk

From: Kimberly Tays <kimkat067@gmail.com>
Sent: Friday, January 10, 2020 8:24 PM
To: Berman Dan; City of Trinidad
Subject: Continued Opposition to Retaining Wall Version of the Van Wycke Trail Project

Dear Trinidad Mayor and City Councilmembers:

I wanted to convey my continued opposition to any project plans for the Van Wycke Trail that involve construction of a retaining wall and removal of soil and vegetation on the bluff (see my February 14 and April 15, 2019 emails sent to the Trinidad Planning Commission).

I am unable to attend the City Council's January 14, 2019 meeting and wanted to convey my deep concerns about the invasive nature of the retaining wall and how it would damage the bluff, visual and biological resources, geology and soils, hydrology and water quality, tribal and cultural resources, etc. As these concerns were thoroughly expressed in my emails referenced above, I will ask you to please read those emails instead of restating them (in the spirit of brevity), as I have asked the City Clerk and City Manager to please forward them to you for review and consideration at your upcoming meeting.

I am in favor of either re-routing the trail upslope (without the retaining wall aspect of the project) or routing the trail down Edwards Street, because these alternatives would provide coastal access without damaging the coastal bluff environment. Any project plans that involve construction of a retaining wall and ground disturbance to this fragile coastal bluff on such a large scale would violate the City's LCP and the Coastal Act and are grounds for appeal to the California Coastal Commission.

Thank you for your time and consideration regarding this important project.

Sincerely,
Kimberly Tays
CA Coastal Advocate